

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of E. Golden—to the Committee on War Claims.

By Mr. WHARTON: Petition of the trustees of the sanitary district of Chicago, for improvement of the navigation of the Chicago River from its mouth through the main and south branch to the beginning of the main drainage channel at Robey street—to the Committee on Rivers and Harbors.

SENATE.

THURSDAY, May 24, 1906.

Prayer by Rev. ROBERT M. MOORE, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

PETITIONS AND MEMORIALS.

Mr. KEAN presented the petition of Mary M. Crawford, of Glenridge, N. J., praying for the enactment of legislation to establish a children's bureau in the Department of the Interior; which was referred to the Committee on Education and Labor.

He also presented a petition of the Municipal Art League, of East Orange, N. J., praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Princeton, N. J., praying for the enactment of legislation to remove the duty on denaturalized alcohol; which was ordered to lie on the table.

Mr. PLATT presented petitions of sundry citizens of West Hebron, Belcher, Hartford, Argyle, and Salem, all in the State of New York, praying for the enactment of legislation to investigate the existing conditions in the Kongo Free State; which were referred to the Committee on Foreign Relations.

He also presented petitions of Local Grange No. 610, of Fayetteville; of Oswego Grange, No. 175, of Oswego, Patrons of Husbandry, and of John P. Hines, of New York City, all in the State of New York, praying for the removal of the internal-revenue tax on denaturalized alcohol; which were ordered to lie on the table.

Mr. BRANDEGEE presented a memorial of the Connecticut Library Association, of Meriden, Conn., remonstrating against any change in the existing law permitting the free importation of books, maps, music, photographs, etc.; which was referred to the Committee on Finance.

He also presented a petition of the Ypsilanti Civic Improvement Association, of the State of Michigan, praying for the enactment of legislation to establish national forest reserves in the Southern Appalachian and White Mountains; which was ordered to lie on the table.

Mr. PILES presented the petition of James Hart and sundry other citizens of Auburn, Wash., and the petition of George Dysert and sundry other citizens of Centralia, Wash., praying for the removal of the internal-revenue tax on denaturalized alcohol; which were ordered to lie on the table.

Mr. PENROSE presented a petition of sundry citizens of Mechanicsburg, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Local Grange No. 1141, of Media; of Beaver Run Grange, No. 813, of Alderson; of East Lynn Grange, No. 1263, of Westchester; of Troups Creek Grange, No. 981, of Wellsboro, and of South Auburn Grange, No. 1188, of Skimmers Eddy, Patrons of Husbandry, in the State of Pennsylvania, praying for the passage of the so-called "pure-food bill;" which were ordered to lie on the table.

MISSISSIPPI RIVER COMMISSION.

Mr. BERRY. I report back favorably from the Committee on Commerce, without amendment, the bill (H. R. 16950) to enlarge the authority of the Mississippi River Commission in making allotments and expenditures of funds appropriated by Congress for the improvement of the Mississippi River. It is a very short bill, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that any funds which have been, or may hereafter be, appropriated by Congress for improving the Mississippi River between the Head of the Passes and the mouth of the Ohio River, and which may be allotted to levees, may be expended, under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations

of the Mississippi River Commission, as approved by the Chief of Engineers, for levees upon any part of said river between the Head of the Passes and Cape Girardeau, Mo.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRESERVATION OF AMERICAN ANTIQUITIES.

Mr. PATTERSON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 4698) for preservation of American antiquities, to report it favorably without amendment, and I submit a report thereon. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that any person who shall appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall, upon conviction, be fined in a sum of not more than \$500 or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

Section 2 authorizes the President of the United States, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected, but when such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in behalf of the Government of the United States.

Permits for the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and War to institutions which they may deem properly qualified to conduct such examination, excavation, or gathering, subject to such rules and regulations as they may prescribe: *Provided*, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects and that the gatherings shall be made for permanent preservation in public museums.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DONATION OF BRASS CANNON.

Mr. FORAKER. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (H. J. Res. 98) authorizing the Secretary of War to furnish brass cannon to the General Howell Post, No. 31, Grand Army of the Republic, of Woodbury, N. J., to report it favorably without amendment. I ask for its present consideration.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILIPPINE COINAGE.

Mr. LODGE. From the Committee on the Philippines I report back favorably with amendments the bill (S. 6243) to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for coinage system in the Philippine Islands." I give notice that to-morrow I shall call up the bill for action, as immediate action is necessary upon the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HALE. Mr. President, I wish to call attention to what in some way has become a practice and which has no force under the rule. When a Senator simply says he will call up a bill if he can on a certain day, there is no reason why notice of that should be entered on any paper. The rules do not pro-

vide for anything of that kind. It does not give anyone any additional chance. I ask that hereafter no such notices be entered. They only encumber the record.

Mr. PATTERSON. I desire to ask the Senator from Massachusetts to briefly state what the bill is which he proposes to call up to-morrow. I simply want it for general information.

Mr. LODGE. The price of silver has risen so steadily of late, and seems likely to rise still more, that it will attain a point at which, under the ratio established by law in the Philippine Islands, the silver peso would become an undervalued coin, and would leave the islands, depriving them of their currency, as their only currency is silver currency. The purpose of the bill is to enable, under proper restrictions, a reduction in the weight and fineness of the Philippine silver peso, so as to check the movement of the coins out of the islands.

REPORTS OF COMMITTEES.

Mr. ALGER, from the Committee on Commerce, to whom was referred the bill (H. R. 18026) permitting the building of a dam across the Mississippi River near the city of Bemidji, Beltrami County, Minn., reported it without amendment.

Mr. PATTERSON, from the Committee on Public Lands, to whom was referred the bill (H. R. 4546) ceding to the city of Canon City, Colo., certain lands for park purposes, reported it with amendments, and submitted a report thereon.

Mr. FOSTER, from the Committee on Commerce, to whom was referred the bill (H. R. 8410) to authorize the Charleston Light and Water Company to construct and maintain a dam across Goose Creek, in Berkeley County, in the State of South Carolina, reported it without amendment.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (H. R. 19473) authorizing the use of the waters in Coosa River, at Lock No. 4, in Alabama, reported it without amendment.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (H. R. 19374) to prohibit shanghaiing in the United States, reported it without amendment.

Mr. BURKETT, from the Committee on Claims, to whom was referred the bill (S. 3702) for the relief of the Gurley Memorial Presbyterian Church, of the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. ALLEE, from the Committee on the District of Columbia, to whom was referred the bill (S. 5075) for acquiring by condemnation and dedicating as public parking certain triangles on Sixteenth street, in the city of Washington, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. NELSON. I am directed by the Committee on Commerce to report back favorably without amendment the bill (H. R. 17758) permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota. This is a little local bill, and I ask for its present consideration.

Mr. TELLER. I wish the Senator would withhold his request until we get through with morning business. I will not object to it then, but I am going to object to bills coming in during the morning business.

The VICE-PRESIDENT. Objection is made, and the bill will be placed on the Calendar.

Mr. TELLER. As far as I am concerned, the Senator can call it up immediately after the morning business is over.

Mr. HEMENWAY, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 52) authorizing the Secretary of War to donate to the board of trustees of Vincennes University, Vincennes, Ind., such obsolete arms and other military equipments now in possession of said university, to be used in military instruction, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2987) to remove the charge of desertion from the military record of Nathan Mendenhall, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 13735) for the relief of John Purkapile, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 13245) to correct the military record of Henry Gude, reported it without amendment, and submitted a report thereon.

Mr. PENROSE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 16953) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Commerce, to whom was

referred the bill (H. R. 17982) to grant to Charles H. Cornell, his assigns and successors, the right to abut a dam across the Niobrara River on the Fort Niobrara Military Reservation, Nebr., and to construct and operate a trolley or electric railway line and telegraph and telephone line across said reservation, reported it without amendment, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 45) authorizing a commission to examine the battlefields around Petersburg, Va., and report whether it is advisable to establish a battlefield park, reported it without amendment.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (H. R. 17415) to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska, reported it with amendments, and submitted a report thereon.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 5149) to grant an honorable discharge to William C. Haskell, reported it with amendments, and submitted a report thereon.

DISTRICT STREET RAILWAYS.

Mr. GALLINGER. Mr. President, for the purpose of giving certain parties who feel that they have a right to be heard a hearing on the bill (S. 43) to extend the lines of the Capital Traction Company, and in accordance with a notice that I gave yesterday I move to recommit the bill to the Committee on the District of Columbia for further consideration.

The VICE-PRESIDENT. The Senator from New Hampshire moves to recommit to the District of Columbia Committee the bill (S. 43) to extend the lines of the Capital Traction Company.

Mr. HANSBROUGH. Mr. President, I have no disposition to oppose the fullest inquiry into the affairs of the public-service corporations of the District of Columbia. I had the misfortune some months ago to be named as the chairman of a subcommittee to go into this question, to consider certain bills that had been introduced in the Senate and referred to the Committee on the District of Columbia.

I have been under the impression for a long time that the public-service corporations of the District were not paying their just proportion of taxes in the District, and as I proceeded to investigate the question I became more thoroughly convinced that I was right on that question.

So, Mr. President, as the chairman of the subcommittee appointed to go into this matter, and having the sanction of at least a portion of the subcommittee, I reported to the full committee a bill containing a provision which would increase the taxes of these corporations.

It is true, as the honorable chairman of the committee said yesterday, that the full committee was not unanimous in reporting this bill to the Senate; but the majority of the committee who voted authorized the report. That report was made by me yesterday.

Now, on the question of hearings, I do not believe that the committee will succeed in getting information on the subject additional to that which already exists in documents which have been printed.

Without referring particularly to the report which I had the honor to make yesterday, I call the attention of the Senate to the fact that when the bills came to me as chairman of the subcommittee, I found that it was difficult to get full information on the subject. So I addressed a letter to the heads of the street railway corporations, inclosing a list of seventeen questions which I thought it was proper that they should answer. It took something like a month to get complete answers to those questions, and indeed I did not succeed even at the end of that time in getting satisfactory answers to some of them.

The answers that I did secure to the questions I had published in a document, which was printed and can be had by Senators. If we should have the most extended hearings on the part of the Committee on the District of Columbia, I doubt whether we would obtain any further information on the subject than is contained in the document to which I refer.

The answers to the questions are here set out in many instances at great length. Some of the managers of the railroad corporations have gone into the question of taxation fully. I doubt if they would be able to go into it any further if they were heard for a week than they have gone into it in the answers they have made to these questions.

I do not want to be considered as resisting the motion made by the Senator, but I do not believe that anything would be gained by recommitting the bill. There is on the desk of Senators this morning, or on the files, the report made on yesterday; and, as I said, this additional document containing the state-

ments of the railroads themselves can be had by Senators if they desire to send for it.

Mr. GALLINGER. Mr. President, I desire to say a word in reply to the Senator from South Dakota. Early in December last I introduced two bills to extend the lines of the two existing railroad corporations to the Union Station. That is all those bills contemplated. It is well known to every Senator that before long the traveling public are to be deposited in the new station. The Baltimore and Ohio Railroad informs me that because of certain changes which must be made in their tracks, and certain fills which are necessary, that road will be landing passengers there probably in September or October next.

I felt that it was the duty of Congress to pass those bills promptly, extending the lines of these railroads to the Union Station. The railroads are to get no benefit from it. They will not have a single passenger more from one station than they have from two, while it will cost them between \$800,000 and \$900,000 to extend their lines as contemplated.

There was one controverted question in one of those bills, and that was the proposed cross-town line on M street, which was fought over here last year. The Senator from North Dakota was chairman of a subcommittee last year to consider that bill, and I felt that inasmuch as that question was involved it was proper that these bills should be sent to the same subcommittee. They were referred to the subcommittee in January. On the 24th of March I addressed a letter to the chairman of the subcommittee, after he had had the bills two months, saying that it was very important that we should have legislation on this subject, and subsequently I addressed him another letter, urging the necessity for early action.

After four months the subcommittee made a report, substituting for the two bills committed to them a bill that not only deals with the question submitted, but which proposes to almost quadruple the taxes, not only upon the railroad corporations, but upon the gas company, the electric light company, and the telephone company of the District of Columbia. In other words, the subcommittee thought that in dealing with the question of extending the street railroad lines to the Union Station we should take up the question of taxation of the several public-utility corporations in the District of Columbia.

The subcommittee reported to the full committee a few days ago, and nine members of the committee voted, five in favor of reporting the bill and four against, and two members did not vote. Since then three members of the committee who either voted in favor of reporting the bill or did not vote at all have said to me that they acted under a misapprehension.

Now, Mr. President, I feel that these corporations have some rights. They were not given a hearing before the subcommittee. In fact, I think outside of the railroad corporations they had no knowledge that any such legislation as this was contemplated, and it is manifest that such a bill as that should not be enacted under such circumstances. If it is desirable to go into the question of taxation, a matter that the late Senator McMillan and some other members of the committee considered with great care when the present system was adopted, let a bill be introduced. I assure the Senate that no Senator will give it more careful attention than I will, with a view to doing exact justice between the corporations and the people of the District of Columbia.

Now, Mr. President, that is all there is to this matter. I submit that the bill should go back to the committee for further consideration.

Mr. HANSBROUGH. The Senator has spoken of the time which elapsed between the date when these bills were referred to the subcommittee and the date when the subcommittee reported. It is unnecessary, I think, to call the attention of the Senate to the fact that we have had a great deal of very strenuous work before the Senate. My own Committee on Public Lands, meeting every week, dealing with a variety of great questions, is enough for any one man to attend to. In addition to that the Finance Committee, of which I am a member, has had numerous meetings. The Agricultural Committee, handling a great appropriation bill, has been obliged to meet repeatedly. I have been under the necessity of attending the meetings of all these committees in addition to the weekly meetings of the District of Columbia Committee.

So in considering the railroad question I had but very little time to devote to it. I was under the necessity of taking the papers and documents to my home and working on them at night in order to accomplish what I have accomplished here. I say to the Senator, and I say to the Senate, that there has been no purpose of delay here on the part of the subcommittee.

Mr. President, it was the most difficult thing to secure a meeting of the subcommittee, in the first instance. The members of the subcommittee said to me, "Go on and perfect the bill; make

your report, and we will support it." When I submitted the questions which I thought should be asked of these companies to the members of the subcommittee and to the Senator who is chairman of the full committee, they acquiesced in the idea that the questions should be asked and that answers should be had to them.

Mr. GALLINGER. Mr. President, the Senator does not quite correctly represent me. The Senator, of course, as a member of the subcommittee, could act independently and seek such information as he chose. He said to me he was going to ask certain questions of the corporations. I said to him that that was his privilege; but that I had anything to do with the matter beyond that certainly does not comport with the facts.

Mr. HANSBROUGH. Oh, no; I have not said that.

Mr. GALLINGER. And, if the Senator will permit me, he says he has been overworked. So have we all. The proposition involved in the bill that was submitted to the Senator, to extend the lines of these railroads to the Union Station, would not have taken very long to consider if the Senator had confined himself to the question which was submitted to him.

Mr. HANSBROUGH. That is very true. If we were to confine ourselves to precisely what the railroad companies want, and that is what was contained in these bills, of course we never would increase the taxes of these companies.

The present tax law, Mr. President, under which these companies pay was put into a bill incorporating one of these street railroad companies fifteen years ago, and it has never been changed. So I make the statement to show that there has been no undue delay, when we consider the amount of work that has been thrown upon all Senators and the extraordinary character of the measures that have been before the Senate—the railroad rate bill, for instance, which was here for more than sixty days.

Now, Mr. President, that is all I care to say about this question at the present time.

Mr. PATTERSON obtained the floor.

Mr. ALDRICH. What is the question before the Senate?

The VICE-PRESIDENT. It is on the motion of the Senator from New Hampshire to recommit to the Committee on the District of Columbia Senate bill 43, to extend the lines of the Capital Traction Company.

Mr. PATTERSON. Mr. President, I hope that the motion of the Senator from New Hampshire will not prevail. I think that the Senator from North Dakota [Mr. HANSBROUGH] and the subcommittee of which he is chairman have done the city of Washington and the Senate and the country a distinct good in making this report and incorporating the views of the subcommittee on the bill the passage of which the committee asks.

Mr. HANSBROUGH. Before the Senator proceeds—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. Certainly.

Mr. HANSBROUGH. I desire to say in answer to the suggestion made by the Senator from New Hampshire that the bill proposes to quadruple the taxes of these corporations that the statement is far from being correct. I think the figures given in the report will convince Senators of that fact.

Mr. GALLINGER. On that point, the Senator knows that they pay 4 per cent on their gross earnings now, and he proposes to add 12 per cent on their net earnings. If he will figure it up, I think he will find I was not far out of the way.

Mr. HANSBROUGH. I have figured it very thoroughly. I call the attention of Senators to the report that I made yesterday.

Mr. GALLINGER. If the Senator from Colorado will permit me, the Senator from North Dakota claims accuracy. The Senator states that the market value of the outstanding securities of these companies is \$70,000,000. On the 19th day of May I had a careful table prepared showing the par value and the market value of the securities on that day, only five days ago, and the market value was \$45,000,000 on that day.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. With pleasure.

Mr. HANSBROUGH. The statement is made by the Senator that I have reported the market values of these securities at \$70,000,000. In reply to that statement I will say that such a statement was made in a general way in the printed report of the subcommittee, which was laid before the full committee. It was, as I said, a general statement, and I am free to admit that it was considerably exaggerated. But I want to call the attention of the Senate to this fact: The Senator has stated that the par value—

Mr. GALLINGER. The market value.

Mr. HANSBROUGH. The Senator has stated that the market value of these securities is \$45,000,000. In the statement to which he first referred the par value is given at \$45,525,000. This statement is dated at the comptroller's office May 21, 1906. I do not know what comptroller that is. The Senator will explain what comptroller it is.

Mr. GALLINGER. I did not know that it was on the paper. I will ascertain.

Mr. HANSBROUGH. I do not know who made that statement.

But, Mr. President, from the sworn statements of these companies, made to Congress under the law for 1905, I find that their capital stock paid in was \$31,044,990, and that their funded indebtedness at that date was \$18,444,100, or, in other words, a total of \$49,489,090, upon which dividends and interest were paid in 1905 of \$2,067,200. The total receipts of these companies for that year were \$3,711,745. The total taxes paid by them for that year were \$148,000.

Mr. SCOTT. Will the Senator from Colorado allow me a moment?

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. PATTERSON. With pleasure.

Mr. SCOTT. Mr. President, I read the report of the Senator from North Dakota very carefully, and I came to the conclusion after reading it that the companies are not paying the tax that they should pay, and as a small stockholder in the Capital Traction Company I so made the statement in the committee. I was immediately waited upon the evening after my vote to assure me that my vote in that committee was injuring my own stock in that company. I want to say that if I should lose every dollar of my stock in the company I would vote for what I think to be right. I do not believe these companies are paying their just share of taxation in this city as compared with what the citizens are paying.

Mr. HANSBROUGH. In response, if the Senator from Colorado will allow me—

Mr. GALLINGER. Will the Senator from Colorado permit me just a moment?

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. PATTERSON. Certainly.

Mr. GALLINGER. When the discussion of taxation in this District comes up it seems to me that we will be able to show that, while the taxes perhaps ought to be increased somewhat, these companies are paying a pretty fair tax. But I do not think this is the time and place for it.

Mr. HANSBROUGH. Mr. President, in response to a question asked me by the Senator from Wisconsin [Mr. Spooner], as to what the net receipts of these companies are, I will call his attention to page 2 of the report I made on yesterday, where it will appear that the net earnings of the Capital Traction Company in 1905 were \$980,244; of the Washington Railway and Electric Company, \$683,311; of the Anacostia and Potomac, \$144,311; of the Brightwood Company, \$833; of the City and Suburban Railway, \$148,067; of the Georgetown and Tennallytown Railroad, \$340; a total of \$1,957,107.

Mr. SPOONER. Gross earnings?

Mr. HANSBROUGH. No; net earnings.

Mr. SPOONER. They are paying now on the gross earnings.

Mr. HANSBROUGH. They are paying on the gross earnings 4 per cent, under the law passed fifteen years ago. The amendment in the bill which I have reported provides for 12 per cent on the net earnings.

Mr. GALLINGER. In addition to 4 per cent on the gross earnings.

Mr. HANSBROUGH. In addition to the 4 per cent. Under that provision the railway companies will pay \$234,000 more taxes than they are paying now. They pay now \$151,000, and they would pay in addition \$234,000. The other public-service corporations would pay, of course, in addition to what they pay now. The Washington Gaslight Company would pay \$66,197 more annually, predicated upon their business for 1905. The Chesapeake and Potomac Telephone Company, with net receipts last year of about \$32,000, would pay only \$3,944 additional tax under a net-earnings tax scheme.

So, Mr. President, the public-service corporations in the District, with net earnings in 1905 of \$2,541,627, would pay additional taxes to the amount of \$304,995.

Mr. PATTERSON. Mr. President, an examination of the report made by the Senator from North Dakota shows that all of the information which can be of any substantial value to the Senate in passing upon this bill has been secured by him from the officers of the companies themselves.

Mr. GALLINGER. Will the Senator permit me?

Mr. PATTERSON. Certainly.

Mr. GALLINGER. There are three very large corporations that I understand have never been interrogated at all and which had no knowledge of this proposed legislation.

Mr. PATTERSON. To which companies does the Senator refer?

Mr. GALLINGER. The gaslight company, the telephone company, and the electric-light company.

Mr. PATTERSON. Mr. President, this report shows a state of facts that ought to be pretty clearly understood. First, it shows that the bonded indebtedness of these several corporations amounts to about \$18,000,000 and that the par value of the stock amounts to about \$31,000,000. In this case, as in all such cases, especially where these corporations and utilities are in thrifty, growing cities, the stock and the bonded indebtedness represent the cost of construction. In these Washington corporations, then, if those who originally incorporated the companies yet own the stock, they would own \$31,000,000 worth of stock which never cost them a dollar. Not a dollar of individual money outside of the money that is borrowed upon the bonds goes into investments of this character; and that is by reason of the immense value of the franchises, the possession of which enables them to construct and operate these utilities and enables them to go into the money market and secure such vast sums of money, secured practically by the revenues from these institutions.

It is only within the past ten or twelve years that the real value of these great municipal franchises has commenced to be understood at all. Until a very few years ago these franchises were given out to those who applied for them. There was such a halo of public benefactions created by the applicants that the cities seemed glad to turn them over to private corporations that they might have the benefit of the utilities the corporations would afford.

But, Mr. President, when the attention of thoughtful men was turned to this particular character of investment and this particular character of operation, it was discovered that in almost every instance when the value of the property that was to be determined by their revenue-bearing qualities—under investigation it was learned that the franchise end of it, which cost the original promoters nothing at all, constituted at least two-thirds of the real value. So in the case of these corporations in the District of Columbia, you have a bonded indebtedness of \$18,000,000, which represents the present value of all the material and all the construction necessary for the operation of these roads, and \$31,000,000 of stock, upon which dividends are being annually paid, that is clear profit—"velvet," in the language of the street—and that really should be the property of the District of Columbia, and the District of Columbia should be reaping the benefits from not only their ownership, but their possession.

Mr. President, the possession of these franchises by private corporations in American municipalities is the cause of 95 per cent of the municipal corruption that has made municipal government in the United States a stench in the nostrils of decent people. The reason of it is that the franchises are of such vast value and the people are in such profound ignorance as to their value that wealthy men and venturesome men enter into the political arena, first, for the purpose of corrupting the election of every town and city of any size in the country that they may elect city governments which will be mere tools at their command, and, next, for the purpose of corrupting the officers of the city governments themselves.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. PATTERSON. Certainly.

Mr. GALLINGER. Does the Senator from Colorado think that applies to the District of Columbia?

Mr. PATTERSON. Mr. President, the District of Columbia, from the nature of its government, is necessarily an exception; but I am justified in saying that, in view of the small returns that are being received by the people of the District of Columbia from these great franchises, the committee which has in charge the welfare of the District of Columbia has not the amount of information upon the subject—at least, so it seems to me—that they might have in order to do justice to the people of the District of Columbia and the Government of the United States, who own the streets and, therefore, own the franchises.

Mr. GALLINGER. I will say to the Senator from Colorado that the Committee on the District of Columbia is a reasonably diligent committee, doing work which is not very much appreciated at home, and trying to be just as between the corporations and the people of the District. The Senator, perhaps, has not stopped to think that in these other cities, between which

and Washington comparisons have been made, they have the overhead trolley system, which costs less than one-half the service which we have compelled these corporations to install in the city of Washington. The Senator perhaps has not stopped to reflect that one corporation in this city expended \$400,000 for experiments on storage batteries. Perhaps he has not stopped to reflect that the companies installed a cable system, and, at the dictation of the Committee on the District of Columbia and of Congress, took that out and put in an underground system after the Budapest pattern. Possibly the Senator has not stopped to reflect, when he pays his 5-cent fare in his own city or in San Francisco, or in New York, or in Boston, or in Baltimore, that there is a great difference between a straight 5-cent fare and six tickets for 25 cents. Will the Senator venture to suggest how much he thinks is saved to the citizens of the District of Columbia annually in fare by getting six tickets for 25 cents, as between that and a straight 5-cent fare?

Mr. PATTERSON. Mr. President, the Senator is—

Mr. GALLINGER. I ask the Senator from Colorado the question whether he would venture to suggest the amount thus saved to the citizens of the District of Columbia?

Mr. PATTERSON. I am not a lightning calculator, Mr. President.

Mr. GALLINGER. Ah! I will tell the Senator. It is \$556,000 a year.

Mr. PATTERSON. And may I give the Senator from New Hampshire a piece of information?

Mr. GALLINGER. Certainly. I like to be informed.

Mr. PATTERSON. And that is to be obtained by examining the late report issued by the Department of Commerce and Labor—namely, that the cost per fare in Great Britain over municipal-owned street railways is 1.1 cents.

Mr. GALLINGER. Why does not the Senator get that in Denver, his home city? Why does he not even get six tickets for 25 cents there?

Mr. PATTERSON. The reason we do not get it in Denver, and the reason we do not get it in New York, Philadelphia, Chicago, Boston, and other of the cities of the country, is because these utility corporations have corrupted every avenue to the ballot box. By reason of the tremendous value of these franchises they find it profitable to use large portions of the receipts from these street railway companies to control the executive committees of political parties in the cities and to expend large sums of money for the pollution of the ballot box, and the expenditure of large sums of money in the purchase and ownership of city councils, mayors, and other executive officers of the municipalities. That is the reason, Mr. President, that we can not have these public utilities, whether it be water, where the water is owned by a private corporation, or gas, or electric lights, where these plants are owned by private corporations, or street railway fares, where the railways are owned by private corporations, as cheaply as the people are entitled to have these utilities. It is for the reason that they own the franchises, and it is only by disposing of the franchises to private corporations that these corporations have any authority whatever in the streets and avenues of the cities.

Mr. PETTUS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Alabama?

Mr. PATTERSON. With pleasure.

Mr. PETTUS. I desire to ask the Senator on what theory it is that he proposes to tax these street railways 12 per cent on their net income? What is the theory on which it is done as between them and other people?

Mr. PATTERSON. The theory upon which it is done, Mr. President, is very plain and simple. These municipal corporations now are in possession of franchises, for which they have paid not a dollar, that belong to the city or the District of Columbia, that are worth to-day over \$31,000,000. That is the reason. If the stock that is owned, Mr. President, had originally been procured by the first holders by purchase upon the market, they paying its value, then the stock would represent an investment, and that investment should not be discriminated against in any way, shape, or manner.

Mr. HANSBROUGH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. Certainly.

Mr. HANSBROUGH. I should like to add to what the Senator has said in reply to the question propounded by the Senator from Alabama [Mr. PETTUS], that if this 12 per cent net-earnings taxation plan should be adopted these companies would not then pay as much as the private citizen pays to-day in the District of Columbia.

Mr. GALLINGER. Now, Mr. President, if the Senator from

Colorado will permit me, I will assert that they would pay three times as much.

Mr. HANSBROUGH. Well, Mr. President, that is simply such an exaggeration of the facts that I will not respond to it at this time.

Mr. GALLINGER. That is all right, but it is a fact just the same.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Texas?

Mr. PATTERSON. Certainly.

Mr. CULBERSON. I understood the Senator from Colorado to state that the value of the property of these corporations is \$31,000,000. Does that represent the total bonded indebtedness and the stock of the companies?

Mr. PATTERSON. No. Their bonded indebtedness is about \$18,000,000; and upon that bonded indebtedness, I understand, 5 per cent is paid. In addition to the bonded indebtedness, there is stock amounting to \$31,000,000, and upon that \$31,000,000 dividends are paid.

Mr. CULBERSON. Well, the total, then, of the bonded indebtedness and the stock is about \$49,000,000?

Mr. PATTERSON. In the neighborhood of \$50,000,000.

Mr. CULBERSON. I will ask the Senator what is the total valuation for the purposes of taxation of the property of these companies as given in by themselves, if the Senator can tell me, as against the \$49,000,000 upon which they are bonded?

Mr. PATTERSON. Mr. President, the total taxation paid by these street railway companies, as I understand, is 4 per cent upon their gross receipts. That has no relation whatever to the value of their property. Then, upon the real estate, pure and simple, owned by these corporations—and that real estate is a mere fraction of the total value of their assets—

Mr. CULBERSON. The information I desire from the Senator from Colorado is this: The total stock and bonded indebtedness of the companies amounts, as I understand, to \$49,000,000, upon which they earn dividends. What I want to get at is the total value of the property of these companies as given in by themselves for the purposes of taxation in the District of Columbia.

Mr. PATTERSON. The total assessed value, as I understand it, is something over \$3,000,000.

Mr. HANSBROUGH. If the Senator will allow me, I have the information here.

Mr. PATTERSON. I shall be very glad to have it.

Mr. HANSBROUGH. In the report which I made to the Senate yesterday, on page 7, will be found this statement:

Perhaps the most equitable basis of assessment is the value of a corporation's interest and dividend paying securities. The sworn statements of the street-railway and electric-lighting companies of the District show that the securities upon which interest and dividends are being paid regularly aggregate \$49,444,000.

Last year they paid \$2,067,200 in dividends and interest.

So that if we apply to them the rule that prevails here of levying a tax upon two-thirds of the value of the property, these corporations under a 1½ per cent levy would pay approximately \$500,000 a year. Should this bill become a law they would pay \$385,000, which is \$115,000 less than under the private individual rate.

That is, under existing law. I submit these facts to the Senate and ask careful consideration of them by the Senate.

Mr. PATTERSON. I can further answer the Senator from Texas [Mr. CULBERSON] by stating that the total property—and if I am wrong, I hope the Senator from New Hampshire [Mr. GALLINGER] will correct me—the total property outside the gross receipts upon which the District of Columbia corporations pay taxes is of the value of \$3,702,422.57.

Mr. GALLINGER. Is that real estate?

Mr. PATTERSON. Real estate.

Mr. GALLINGER. Yes; I think so.

Mr. PATTERSON. I will ask the Senator from New Hampshire whether these corporations pay taxes upon anything else than their real estate?

Mr. GALLINGER. I will say to the Senator that the Committee on the District of Columbia, under the lead of the late Senator McMillan, who was a reasonably fair man, took this whole question up, and they thought it was the better way to compel these corporations to pay on their real estate, and then to pay a percentage on their gross receipts. That is the system. If the Senator wishes to be at war with that, that is one thing; but that is the system, and it was reached after very careful consideration and argument.

Mr. PATTERSON. Mr. President—

Mr. GALLINGER. If the Senator will permit me further—

Mr. PATTERSON. Certainly.

Mr. GALLINGER. I will say that I do not at all contend that the tax is as large as it ought to be on any of these cor-

porations; but let a bill be presented covering that point—and I am inclined to think it ought to originate in the House of Representatives; I just throw that out incidentally, however—let a bill be presented dealing with this question, and I think the Senator and I perhaps will be nearer together than we are to-day. But I am surprised that the Senator should think it wise legislation, when dealing with the question of accommodating the traveling public and getting these street railway lines extended to the Union Station, to involve all these corporations in this controversy.

I thank the Senator.

Mr. PATTERSON. I am not at war with the method of taxation suggested by the Senator from New Hampshire [Mr. GALLINGER]. On the contrary, I am in hearty accord with it. I think the true way upon which these utility corporations should pay the value of their property plus taxation is by a percentage of their gross receipts.

Mr. PETTUS. Mr. President, I desire to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Alabama?

Mr. PATTERSON. Yes.

Mr. PETTUS. What has been for the last year the gross receipts of the street railways of Washington?

Mr. HANSBROUGH. Does the Senator ask for the amount of the gross receipts?

Mr. PETTUS. Yes.

Mr. HANSBROUGH. Last year they were \$3,711,745.

Mr. GALLINGER. And, Mr. President, if I may trespass upon the good nature of the Senator from Colorado a moment, I want to correct one other misapprehension. Dividends are paid on \$20,000,000, not on \$30,000,000 or \$40,000,000, as has been asserted. They are paid on the stock of the Capital Traction Company and the preferred stock of the Washington Railway and Electric Company. No dividends have ever been paid on the common stock of the latter company. Much of their stock was bought at par, and is now selling at less than 50 per cent on the dollar; and they are not paying running expenses. I want the Senator to keep that in mind. It is easy to get wrong on this question.

Mr. PATTERSON. There are only two street railway companies of any moment in the District of Columbia, and they are the Capital Traction Company and the Washington Railway and Electric Company.

Mr. GALLINGER. The Washington Railway and Electric Company does not pay any dividends on its common stock, and never has.

Mr. PATTERSON. They have gross receipts amounting to \$1,206,143. But what I was going to suggest in connection with the question propounded by the Senator from Texas [Mr. CULBERSON] is this: That with between \$40,000,000 and \$50,000,000 of securities upon which interest and dividends are paid, so far as the tangible property of the corporations goes, they are taxed upon but \$3,702,000, and that the only other tax they pay is the tax, in the case of the street railway companies, of 4 per cent of their gross receipts, and, in the case of the gas company, if I am not misinformed, 5 per cent of their gross receipts.

Mr. HANSBROUGH. Five per cent on their gross receipts?

Mr. PATTERSON. Yes; on their gross receipts.

Mr. HANSBROUGH. In that connection, Mr. President, let me say—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. Certainly.

Mr. HANSBROUGH. If a 12 per cent tax were to be levied on the net earnings of these companies, those companies to which my friend from New Hampshire [Mr. GALLINGER] has referred as being nonpaying institutions, having no net earnings, would not be obliged to pay another farthing of taxes in excess of what they pay now under the law providing a tax of 4 per cent on gross earnings.

Mr. GALLINGER. That is very true; but the Senator knows that they are practically consolidated, and 12 per cent would be levied on the company.

Mr. HANSBROUGH. But the net earnings do not come directly from the related companies; they would come from the Washington Railway and Electric Company, which is really earning a very handsome profit, and which has large net earnings.

Mr. GALLINGER. Mr. President, the Senator probably knows that the 4 per cent bonds of that company are selling at from 88 to 89 now, and, as I said a moment ago, they have never paid a dollar on their common stock in dividends.

Mr. HANSBROUGH. But they pay 5 per cent on their preferred stock.

Mr. PATTERSON. For the purpose of showing that the proposed tax is entirely within reason, I might call the attention of the Senate to the neighboring city of Baltimore. It is stated in the report of the Senator from North Dakota [Mr. HANSBROUGH] that the street railway company of that city pays 20 per cent of its gross receipts. The Senator is mistaken. Originally it was required to pay 20 per cent of its gross receipts, but the power of the street railway corporations was such, as I understand, that gradually they induced the city council of Baltimore to lessen the amount of the gross receipts that they were required to pay, until they now pay 9 per cent.

Mr. GALLINGER. The Senator is correct; and the Senator ought likewise to couple with the fact that they have an overhead trolley, which costs a little more than one-third of the underground system, and that they charge a straight 5-cent fare.

Mr. PATTERSON. Mr. President, I have heard that now about the underground trolley for the second time.

Mr. GALLINGER. Yes.

Mr. PATTERSON. I do not understand that it costs any more to maintain an underground trolley than it does an overhead trolley.

Mr. GALLINGER. Infinitely more.

Mr. PATTERSON. It costs more at the original installation. But, Mr. President, whether it is underground or overhead, it is stated here as the testimony of the officers of these corporations that the street railway systems of Washington, if the tracks were obliterated and the streets without an excavation, could be replaced to-day for a little more than \$17,000,000; so that I do not care whether you have the underground system of trolley or the overhead system of trolley, it is the cost of construction after all, and if \$17,000,000 will replace the present street railway system of Washington, then we know that, with \$18,000,000 of bonded indebtedness, those who constructed the systems have obtained more money from the franchises and by their possession of the franchises than the entire system is worth, minus the franchises.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. PATTERSON. Yes.

Mr. GALLINGER. I think the Senator has stated correctly, or approximately so, what it would cost to duplicate these roads, but has the Senator looked into the actual cost to the present owners and bondholders and stockholders of these roads as they stand to-day?

Mr. PATTERSON. No, I have not, Mr. President; and it is not necessary that I should. The purchasers of these securities got possession of them with their eyes open; they knew their origin and their source, and they also knew that it is within the power of Congress, if Congress sees fit to exercise the power, to repeal the acts immediately which confer the right of franchise upon them; therefore that matter can make little or no difference.

Mr. HANSBROUGH. Mr. President, if the Senator will yield to me—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. With pleasure.

Mr. HANSBROUGH. I desire to call the attention of the Senate to a decision of the Supreme Court on the point raised by the Senator from New Hampshire. In the case of *Smythe v. Ames* the court in its syllabus—I will not read all the syllabus, but just a paragraph of it—says:

If a railroad has bonded its property for an amount that exceeds its fair value or if its capitalization is largely fictitious, it may not impose upon the public the burden of such increased rates as may be required for the purpose of realizing profits upon such excessive valuation or fictitious capitalization, and the apparent value of the property and franchises used by the corporation, as represented by its stocks, bonds, and obligations, is not alone to be considered when determining the rates that may be reasonably charged.

That is the opinion of the Supreme Court on that question.

Mr. GALLINGER. It has no pertinency whatever to anything I have said.

Mr. PATTERSON. Mr. President, the immense value of this class of property may be determined by the investigations that were made by the United States Government in Great Britain. If the District of Columbia were operating the street railways for the benefit of the people, since it would not be required to pay dividends on franchises, by anything like an economical administration they could furnish transportation to the city travelers with a handsome profit at 2 cents a fare. If it requires 5 cents a fare to enable these companies to pay divi-

dends upon their stock and interest upon their bonds, that simply shows how great is the value of that part of the property that really belongs to the District of Columbia under the control of Congress, and for which originally not one cent was paid.

As I stated a moment ago, there are, I think, 172 tramway systems—either 172 or 127—owned by the towns and cities of Great Britain. Those tramways carried several billion passengers in 1904, and the average cost to the city traveler upon those British street railways was but one and one-tenth of 1 cent each.

In the city of Glasgow, Mr. President, the street railways are owned and operated by the municipality, and three-fourths of those who travel on the Glasgow street railways pay but 1-cent fares—a half-penny in English money. They have the street railways divided off into what is called "2-mile sections," and for riding 2 miles in the city of Glasgow the traveler pays but 1 cent.

In the city of Sydney, in New South Wales, they pay a penny, or 2 cents. In some of the Canadian cities the same low rate of transportation exists, and in nearly every city, whether British or German or French, where there is city ownership of street railways, the fare for a 2-mile trip is rarely or ever more than 2 cents. The section system is adopted upon the theory that the man who travels a short distance should not pay for the ride of the man who travels a long distance. Dividing the tracks into 2-mile sections, one riding within that section pays a cent or 2 cents, as the case may be, and when riding upon an additional section will pay 3 or 4 cents, and the maximum cost, as a rule, is 6 cents for riding the longest distance, with unlimited transfers.

As a matter of course, Mr. President, I have no hope that Congress is going to assume the ownership of the street railways of the District of Columbia, although that is the first great reform in dealing with this District that Congress should undertake. It should, without any hesitation, pay to the street railway companies and the gas companies a fair valuation of their property, remove from the dividend-bearing burden that is placed upon the people the value of the franchises, and, after operating them in the most economical manner, give to the people—those who use the light and those who travel upon the street railways and the taxpayers of the District of Columbia—the full benefit of such a change.

The minister from that desk this morning spoke about Washington being a city upon a hill and that its light should so shine as to be seen from all parts of the civilized world. It is a pertinent and happy suggestion, and, sitting upon a hill, as it does, the aim of Congress should be in the management of all of the affairs of this great city to so act as to set an example to the cities of the rest of the country as to what may be accomplished through government ownership and operation of the street railways and the other utility franchises in the matter of economy, as well as in honesty and in the cheapness to the inhabitant of that which was produced.

Mr. President, this is a very large subject. It is one that should not be confined within the limits of a committee; it is one that should be discussed upon the floor of the Senate, in the face of the country, so that the very fullest and most intelligent investigation may be given to it, and that the country may learn what is to be learned by the intelligent discussion and presentation of these matters. I assert that, after reading the report made by the Senator from North Dakota [Mr. HANSBROUGH], it is perfectly evident that all the information that is necessary for intelligent action upon the part of this body has been secured by the Senator from North Dakota and the subcommittee of which he is the chairman, and it has been spread before this body in a most intelligent way. And now is the time, Mr. President.

These railways are directed to make new extensions. I suppose they desire to make those new extensions. They are to have the benefit, in the way of a franchise, to the new monumental depot that will cost the Government \$6,000,000, and it is in connection with the extension of their lines that the question of compensation should be determined. There is no better time and there can be no better time than this to determine that, and I fully agree with the Senator from North Dakota in resisting the return of the bill to the committee.

Mr. BLACKBURN. Mr. President, it occurs to me that this debate is entirely out of order, and for the life of me I can not see what connection it has with the question now before the Senate, which is the motion of the Senator from New Hampshire, the chairman of the committee, to recommit the bill to the committee. I can not see any proper connection between that motion and the discussion of the question the

Senator from Colorado has gone into, namely, the government ownership of railroads and general public utilities.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kentucky yield to the Senator from Colorado?

Mr. BLACKBURN. Yes; for a question.

Mr. PATTERSON. I want to ask the Senator from Kentucky whether the amount and the polity and the significance of the information secured by the committee having this in charge are not pertinent to the question to recommit?

Mr. BLACKBURN. If the Senator will possess his soul in patience, he will be answered in the five minutes I propose to take. What I am objecting to is this discussion. It is not in order on the question to recommit. The question of government ownership of utilities will have its day in court, but not while such a motion is pending for determination. If there was any argument needed to conclude in favor of the motion of the Senator from New Hampshire, I am sure the Senator from Colorado has furnished it.

I understand, Mr. President, that the only purpose that a deliberative body has in the organization of a committee is to constitute an agency through which to prosecute inquiries and to obtain information for the guidance of that deliberative body in the transaction of its business. I chance to be a member of the Committee on the District of Columbia, and that alone induces me to enter this word of protest. I am not prepared to answer the question as to whether these corporations are sufficiently taxed. I do not know. I think it altogether probable that they are not. But what I want to warn the Senate about is that in determining that question it shall not be guided by the report that has come to it on yesterday by the Senator from North Dakota from the Committee on the District of Columbia, because I tell the Senate now what every other member of that committee in common candor is bound to tell it, that the committee is not in a condition to give it any information on the subject of corporation taxes. I am not speaking of the subcommittee of which the Senator from North Dakota is chairman. I am speaking for the rest of the Committee on the District of Columbia. As the chairman has told you, no hearings were had, no notice was given, no testimony was taken, no information was gathered.

Mr. HANSBROUGH. The Senator from Kentucky—

Mr. BLACKBURN. I said by the Committee on the District of Columbia, exclusive of the subcommittee.

Mr. HANSBROUGH. The Senator will recall, if he will pardon me for interrupting him, that this question was brought before the committee in somewhat of a hurry; there was a good deal of haste about it, and a vote was taken without anyone suggesting that there should be a hearing. I am perfectly willing there should be a hearing; in fact, I should be very glad to examine the managers of these corporations.

Mr. BLACKBURN. Then I take it the Senator will not oppose the motion of the Senator from New Hampshire.

Mr. HANSBROUGH. I do not think that a rehearing is necessary in view of what we have already obtained.

Mr. BLACKBURN. Very well. What the Senator from North Dakota has stated in no wise affects any remarks I am submitting here. I state facts—that a committee is an agency of the body to which it belongs with but one mission, and that is to gather information so as to throw light upon the subject under discussion by the body. The report made here yesterday for all such purposes, excluding the subcommittee, is absolutely valueless to the Senate. I undertake to say there is not a member of the Committee on the District of Columbia, except he be a member of the subcommittee, who will not cheerfully admit that he has derived no information to give to the Senate upon this subject of taxation; that he does not know one whit more about it than any Senator who sits around me who does not belong to the committee.

The Committee on the District of Columbia never contemplated making any inquiry into this subject. The parties to be affected were never notified that such an inquiry was being prosecuted, and so far as we of the committee, other than the subcommittee, are concerned, we must in common candor tell the Senate we have no information on the subject to give the Senate and no advice to offer.

The chairman of the committee has told the Senate that for four months that bill, or those two bills, which proposed to do nothing except to accommodate the traveling public by giving the roads the permission and requiring them to carry their tracks into the Union Depot, so that the hundreds of thousands of people traveling through the capital city should not be dumped down out here on the boundary, without any chance to get to the city, slept, so far as the Committee on the District of

Columbia was concerned and so far as the Senate and the country are concerned. They slept for four months and a half, and were reported to the committee at its last meeting and brought into the Chamber here by a report from the Senator from North Dakota on yesterday.

I submit that so far as this committee is concerned, so far as the question presented here by this extraneous discussion is concerned, the Senate had as well abolish the committee as to act upon a report thus presented, with the facts thus stated. I repeat that it may be that the rate of taxation upon these corporations is indefensibly low. About that I do not know, and neither do you. You have not investigated it. Neither have I. Neither has any member of the Committee on the District of Columbia, unless it be the subcommittee. Nor did the Senate have notice that that question was being inquired into by anybody. Nor did the chairman of the Committee on the District of Columbia or any member of that committee have such notice.

There is but one question pending here. It is not a question of government ownership of municipal privileges. It is not a question of the equitable or inequitable taxation of corporate property within the limits of the District. Those questions are not present except as they are lugged in here by the ears for the purpose of debate. The only question pending before the Senate is under this state of facts: Is the Senate prepared to relieve the committee from any responsibility in the way of inquiry, investigation, or information upon these questions and go into the settlement of these issues? The Senator from North Dakota has told you, the Senator from Colorado has told you, of the magnitude of the questions involved in this discussion. Is the Senate ready to proceed to a settlement of those issues without any light or any information from the committee charged with the responsibility of furnishing it? That is the only question. It may be that we will all be of one opinion, that the rate of taxation should be raised upon these corporations; but either abolish the Committee on the District of Columbia or give it a chance to glean some information and speak advisedly to the Senate.

Mr. DUBOIS. Mr. President, I may have misunderstood the Senator from New Hampshire—I rather think I did, perhaps—in saying there were three members who voted for this report who changed their minds. The Senator from West Virginia has spoken and the Senator from North Dakota has spoken, and the vote stood five to three.

Mr. GALLINGER. Five to four.

Mr. DUBOIS. Very well; five to four. I do not wish to be put under the imputation of being one of the three who changed their minds, as I voted to bring this measure into the Senate. I was on the subcommittee a year or more ago, and investigated somewhat the street railway lines, and was informed by them that they were sorry that they allowed Congress to pass certain legislation; that if they had known it would be so much against their interests, they would not have allowed it to pass. I got a good deal of information from those gentlemen during that hearing.

Now, in the first place they wanted a monopoly of the lines around the proposed depot, and they wanted it quick. They wanted it now; they wanted it a year and a half before there was any necessity for using it. I think they have modified that somewhat, and graciously concede that some other line may come in and get up to the proposed new depot. The information which has been gotten together with great care is ample, and I do not know what is going to become of this. But I desire to say that for one I shall not vote, and I hope the Senate will not vote, to let pass precisely what they want and not pass legislation which we think is in the interest of the District of Columbia. This bill provides as a substitute for all else in regard to taxation that they can elect to pay such taxes and only so much as the man who happens to own a house and lot, which seems to be pretty fair; and I hope, no matter what becomes of this, that it will not end in adding to the monopolies we have already granted to these lines. I shall not vote to refer this bill back to the Committee on the District of Columbia.

Mr. PETTUS. Mr. President, the Congress some years ago established a theory on which these corporations were to be managed, and we ought all to recollect that this is not an ordinary question such as occurs in the States. Congress undertook to build a city here such as ought to be the capital of this nation. They granted a charter. We are told now it belongs to the people of the District of Columbia. I do not understand it in that way. But whatever it may be, they have a charter, and it is about the best that I know of in the United States. It is a city railroad corporation with a master, and that master is this Congress. The plain purpose of the acts which have been passed heretofore has been that we would have a corporation here that would have a vast income, and that Congress would

tell them how they should spend it; not that we would tax them to death. The proposition was that the Congress should point out to these railroads what they should do; where they should spend their money, and in what manner they should spend it, for the benefit of the city.

It seems to me a bad idea to change that policy, which you have followed here so long and so successfully. I believe that the street railway corporations ought to be taxed in an ordinary way like other people are taxed, and they ought to pay the full amount of that tax, but I do not see the wisdom of changing a plan on which you have acted so long.

I heard this morning of a bill requiring one of these railroads to make an extension. You order how far they shall build their extensions, and how far they shall go, and you tell them when and what income they shall have for the service. You yourself make all these orders. You are managing these roads by giving positive orders, and orders without which they can not act.

Mr. President, I hope the Congress will not change this wise plan on which it has been acting. As I said before, it is not the case of a railroad that can manage its own affairs, that can do what it pleases with its property, build a road here or there. They can not build a foot of road without your orders or your consent, and it almost always comes in the form of an order, according to my observation. The Congress orders these railroads what to do, and I want them to have and to own a large income, which the Congress will tell them how they shall use for the purpose of improving the city. I hope the Senate will not change the theory on which we have acted so long.

Mr. MARTIN. Mr. President, as a member of the subcommittee to which this matter was referred, it was my duty to investigate the questions involved here and to be prepared to explain the proposition to the Senate. I desire to say that I have not discharged that duty, nor do I think any member of the District Committee has discharged that duty, except two or three members of the subcommittee. I have not discharged the duty because so many other duties devolved on me that it was impossible for me to do so, and I want this matter to go to the Committee on the District of Columbia, in order that the members of that committee may discharge the duties imposed upon them. I want the committee to consider these propositions. They are important propositions. I do not think the committee has considered them. I do not think thirty minutes was devoted to the whole matter, and I respectfully submit that it is hardly wise and expedient that the entire system of taxation, so far as it relates to public-utility corporations in the District of Columbia, shall be changed when the committee in charge of the matter has not devoted thirty minutes' consideration to the question.

Mr. MALLORY. Will the Senator from Virginia permit me to ask him a question?

Mr. MARTIN. Certainly.

Mr. MALLORY. As I understand the question, it is presented in this way: Here is a very decided increase in the rate of taxation imposed on certain corporations in the District. This increase is suggested by a subcommittee of the Committee on the District of Columbia, but the Committee on the District of Columbia has not itself given the matter consideration. Further, representatives of these corporations have not been given an opportunity to state why this increase, a large increase, too, in their taxation should not be imposed. Is that so?

Mr. MARTIN. That statement is correct.

Mr. MALLORY. They have had no such opportunity.

Mr. MARTIN. I think it is proper that the work done by the subcommittee, the tables that have been prepared by the chairman of the subcommittee, should be presented to the representatives of these corporations, and that they should be permitted to respond to them—to correct them if inaccurate, to verify them if correct—or to say what they choose about them.

Mr. HANSBROUGH. In response to the Senator from Colorado, as I stated this morning, the list of questions was sent to the various companies, to which answers were made. The answers were very full, very complete; and every document has been published. They can be had by Senators. So, as a matter of fact, the companies have been heard to that extent.

Mr. MALLORY. I see by the report that answers were made to the inquiries propounded by the Senator from New Hampshire—

Mr. HANSBROUGH. On the question of taxation.

Mr. MALLORY. But the question I want to get at is, Have representatives of these corporations been given a chance to be heard? Some argument may be presented why this very large increase in taxation should not be made. I should like to know if they have had that opportunity.

Mr. GALLINGER. Will the Senator from Virginia yield to me a moment?

Mr. MARTIN. I will.

Mr. GALLINGER. I will say to the Senator from Florida that the question of increasing the taxes 12 per cent on the net earnings has never been submitted to these companies, and they have had no knowledge of it.

Mr. HANSBROUGH. There was an inquiry made of one of these corporations deeply interested here which was never replied to at all. It was not treated with the respect that I think the subcommittee was entitled to.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Texas?

Mr. MARTIN. Certainly.

Mr. CULBERSON. It is for an inquiry, and purely for information, in order to govern me in my vote.

I understood the Senator from Virginia to say that while this matter has been considered by a subcommittee the committee itself had not considered the bill. I should like to ask the Senator if it is a fact that the subcommittee reported to the Senate the bill, which had not been reported by the subcommittee to the full committee and had its full consideration?

Mr. MARTIN. The subcommittee reported the bill to the full committee. I do not know how far it is proper for me to allude to what transpired in the committee room, but what I shall say—

Mr. HANSBROUGH. It has already been stated—

Mr. MARTIN. But what I say is, in no sense, intended to reflect on anybody connected with the committee. As I recollect it, the bill was not read; the report was not read; it was briefly explained by the chairman of the subcommittee—very briefly. I think I am certainly within the limits of accuracy when I say that thirty minutes was not consumed altogether in the full committee on this matter.

Mr. SCOTT. Will the Senator from Virginia allow me?

Mr. MARTIN. Certainly.

Mr. SCOTT. Did not the chairman of the subcommittee make a statement some days before on the substance of the bill and report, and was there not called a special meeting of the whole committee to consider this matter?

Mr. MARTIN. That is correct; and only nine members, as I recollect, attended. I forget how many members there are on the committee. If the Senator from New Hampshire will enlighten me as to the membership of the committee, I shall be grateful to him.

Mr. GALLINGER. Thirteen.

Mr. MARTIN. Of whom nine were present; and the time bestowed on this important matter, I say, did not amount to thirty minutes, when it was finally disposed of; and not half that at the meeting previously to which the Senator from West Virginia has referred.

I do not know whether these taxes ought to be imposed or not. I have not considered it. I am a member of the committee. I have not had an opportunity to consider it. I am not complaining of others who have not considered it. I have been engrossed with other matters. I have not given thirty minutes altogether to the consideration of this important bill, and I do not believe there is a member of the Committee on the District of Columbia who has given thirty minutes to it, except certain members on the subcommittee; and I respectfully submit that the matter needs further investigation by the committee.

I have been approached by one of the presidents of these street car companies. He wanted to talk to me about it. I did not have time to talk to him. I am not one of those who would not talk to the president of a street railway company or anyone else having a proper interest in the matter. I think they ought to be heard, and I am willing to hear them individually and willing to hear them before the committee. But I did not have time to talk to him. I told him if he wanted to be heard he must ask a hearing before the Committee on the District of Columbia. I think he ought to have a hearing. I think he ought to have an opportunity to appear before the Committee on the District of Columbia in connection with this report which came into the Senate the other day. I think the presidents of these street railway companies and of the gas company and of the other companies ought to have an opportunity to present their views to the committee in charge of this matter. I do not see any wisdom in railroadizing this matter through in this manner. I state frankly that I have not investigated it. I desire the opportunity to investigate it, and I hope the Senate will send the bill back to the Committee on the District of Columbia, so that the committee may discharge its duty by giving a thorough investigation to this matter.

It may be that when it shall have been investigated I will agree as to every question involved. I do not know what my

views will be. I have not had an opportunity to investigate, and I want that opportunity before I vote upon it.

Mr. PATTERSON. Mr. President, is it in order to offer an amendment to the motion of the Senator from New Hampshire?

The VICE-PRESIDENT. Only in the nature of instructions.

Mr. PATTERSON. I move that the Committee on the District of Columbia be instructed to enter upon this question and to report the result of its investigations to the Senate.

Mr. GALLINGER. I make the point of order that that is not in order.

Mr. PATTERSON. The Senator from New Hampshire does not object?

Mr. GALLINGER. I object very seriously to the Senator from Colorado, who has recently been fighting in his own State for municipal ownership, and without success, instructing the Committee on the District of Columbia what its duties are.

Mr. PATTERSON. The Senator would not for a moment consider it as my instruction. I would take him aside and privately—

Mr. GALLINGER. I object.

Mr. PATTERSON. I suggest that there is nothing of graver importance, so far as concerns the question of taxation in the District of Columbia and the proper management of these city utilities, than the Committee on the District of Columbia can consider; and I think it is perfectly in place, and the Senator ought not to object to it, for the Senate committee to enter upon an investigation and report the result to this body.

Mr. GALLINGER. I want a vote on this question, and I am going to take but a moment's time further. Under protest I accepted the chairmanship of the Committee on the District of Columbia several years ago, and I have mentally protested every day against continuing in that position. Over two hundred bills have come to the committee at this session. They have involved great questions of municipal administration—the establishment of a juvenile court, dealing with insanity conditions, the abatement of nuisances, the school question, the police question, the insurance question, the fire question, and all those great matters—and the committee has given its time to their consideration. The chairman has worked days and nights and Sundays incessantly, and, as I said a moment ago, that kind of work counts for very little at our homes. I am now, perforce, under circumstances that I greatly regret, engaged in the committee room of the Committee on Appropriations as chairman of the subcommittee considering the District of Columbia appropriation bill. I do not know how long it will take. It is not work that any Senator would choose.

I want to suggest to the Senator from Colorado that if there has been any lapse which he can discover in the fidelity to duty that that committee has been guilty of, it then might be well for the Senate to instruct the committee at this late day to go into an investigation that they will go into of their own volition if this matter shall go back to the committee, at least so far as questions relating to the street railroads are concerned.

Mr. PATTERSON. Oh, Mr. President, I am not criticising the lack of fidelity of the Committee on the District of Columbia. That is something I ought not to do, because I have no knowledge of its duties, except that from the measures in this body from that committee I know they must be very onerous and very burdensome.

Mr. GALLINGER. Revising the suggestion I made a moment ago, which was made hastily, when I made a point of order against the amendment, I think the Senator's amendment is strictly in order, and I hope the question will now be put.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Georgia?

Mr. PATTERSON. Certainly.

Mr. BACON. I wish to suggest to the Senator from Colorado a consideration. I may possibly be considered as not speaking outside of the bounds when I speak of the fact that I was once a member of the Committee on the District of Columbia, and I very fully appreciate the statement now made by the chairman of that committee as to the very onerous duties which devolve upon the committee. They are not only onerous duties, but they are extremely disagreeable duties. It is a committee which necessarily has an immense labor, and a labor which has in it a great many very disagreeable and annoying details.

The suggestion I want to make to the Senator from Colorado is this: When the Senate recommit the bill to the Committee on the District of Columbia that action necessarily involves the devolving upon that committee of the duty of doing the very thing which the Senator from Colorado proposes they shall be specifically instructed to do.

Mr. PATTERSON. Mr. President, on the strength of the

statement made by the Senator from Georgia, I withdraw the amendment that I offered.

Mr. BACON. The Senator will see that it would be a reflection on the committee.

The VICE-PRESIDENT. The amendment is withdrawn. The question is on agreeing to the motion of the Senator from New Hampshire [Mr. GALLINGER] to recommit the bill to the Committee on the District of Columbia.

The motion was agreed to.

LEGATION BUILDING AT CONSTANTINOPLE.

Mr. BACON. I report from the Committee on Foreign Relations an amendment intended to be proposed to the diplomatic and consular appropriation bill, which I ask may be printed and referred to the Committee on Appropriations.

Mr. SPOONER. I should like to have the amendment read.

The VICE-PRESIDENT. The Secretary will read the amendment.

The Secretary read as follows:

Amendment recommended by the Committee on Foreign Relations to H. R. 19264, making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1907.

Amend by inserting the following in line —, page —:

That the Secretary of State be, and he is hereby, authorized to acquire in Constantinople, at an expense not to exceed \$150,000, a proper site and building, which shall be used by the legation of the United States and for the residence of the envoy extraordinary and minister plenipotentiary of the United States to Turkey.

The VICE-PRESIDENT. The amendment will be printed and referred to the Committee on Appropriations.

BILLS INTRODUCED.

Mr. DRYDEN introduced a bill (S. 6262) granting an increase of pension to Joseph Kircher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 6263) for the relief of Benjamin Fenton; which was read twice by its title, and with the accompanying paper, referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 6264) granting a pension to Cornelius Sullivan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARNER (by request) introduced a bill (S. 6265) to establish a national military park at the battlefield of Fort Stevens, in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 6266) granting an increase of pension to Paul Baker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 6267) granting an increase of pension to Dennis A. Manning; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 6268) granting a pension to Helen G. Hibbard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McLAURIN introduced a bill (S. 6269) for the relief of W. W. Warren, administrator of the estate of Jackson Warren, deceased, of Canton, Madison County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FOSTER introduced a bill (S. 6270) for the relief of George H. Green and Mrs. A. M. Barker, executors of George W. Green, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. RAYNER introduced a bill (S. 6271) for the relief of Raleigh Sherman, administrator of William P. Leaman, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BURKETT introduced a bill (S. 6272) granting an increase of pension to Harvey Gamble; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 6273) granting an increase of pension to William J. Wells; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 6274) to remit the sentence of general court-martial against Milton Ostheim, late a private of Company H, Twelfth United States Infantry, and grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 6275) providing for a half holiday on Saturday for mechanics, helpers, laborers, and apprentices employed in the various navy-yards and naval stations in the United States; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. STONE introduced a bill (S. 6276) for the relief of the trustees of the Christian Church of Savannah, Mo.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FULTON (for Mr. CLAPP) introduced a bill (S. 6277)

granting an increase of pension to Marie J. Blaisdell; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. PENROSE submitted an amendment proposing to appropriate \$100,000 toward the construction of a steel floating dry dock, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

SHIP CANAL CONSTRUCTION.

Mr. MORGAN. I present a letter from Hon. W. Henry Hunter, chief engineer of the Manchester Ship Canal, England, addressed to the Hon. A. B. KITTREDGE, of this body, in reply to a letter which that Senator had written to him, in which he makes a statement of his views in regard to the construction of a ship canal. We, of course, did not have the opportunity of calling him or any other foreign engineer in person before the committee. I move that this letter be printed as a document and referred to the Committee on Inter-oceanic Canals.

The motion was agreed to.

FEES OF COMMISSIONERS.

Mr. McCUMBER. On the 3d instant, I introduced a bill (S. 6023) to amend section 21, of chapter 252, of the act approved May 28, 1896, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," which was erroneously referred to the Committee on Appropriations. I move that that committee be discharged from the further consideration of the bill, and that it be referred to the Committee on the Judiciary.

The motion was agreed to.

PRIVATE PENSION LEGISLATION.

Mr. McCUMBER. I desire to state at this time to Senators generally that it will probably be impossible to consider any further pension legislation this year relating to private pensions on bills that have not already been introduced unless it shall appear that they are special cases demanding immediate attention.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had approved and signed the following acts:

On May 21:

- S. 1223. An act granting a pension to Mary E. Bronaugh;
- S. 2194. An act granting a pension to William H. Sweeney, jr.;
- S. 3040. An act granting a pension to Mary C. Wilsey;
- S. 5536. An act granting a pension to William O. Clark;
- S. 5603. An act granting a pension to Kate S. Hutchings;
- S. 5754. An act granting a pension to Hannah McCarty;
- S. 5780. An act granting a pension to Lorenzo E. Johnson;
- S. 394. An act granting an increase of pension to Amanda Lucas;
- S. 442. An act granting an increase of pension to Francis Colton;
- S. 522. An act granting an increase of pension to Emma Worrall;
- S. 557. An act granting an increase of pension to Mariot Losure;
- S. 678. An act granting an increase of pension to Albert Butler;
- S. 869. An act granting an increase of pension to Baltzar Mowan;
- S. 993. An act granting an increase of pension to Samuel J. Langdon;
- S. 1508. An act granting an increase of pension to James A. Murch;
- S. 1513. An act granting an increase of pension to Harriett A. Rawles;
- S. 1705. An act granting an increase of pension to Lewis S. George;
- S. 2043. An act granting an increase of pension to Andrew H. Wolf;
- S. 2467. An act granting an increase of pension to Martin Clark;
- S. 2851. An act granting an increase of pension to George Chambers;
- S. 2978. An act granting an increase of pension to Eli W. Knowles;
- S. 3033. An act granting an increase of pension to Aaron F. Patten;
- S. 3219. An act granting an increase of pension to Joseph M. Allison;

S. 3271. An act granting an increase of pension to Margarette E. Brown;
 S. 3299. An act granting an increase of pension to Spencer C. Stilwell;
 S. 3483. An act granting an increase of pension to William L. Sheaff;
 S. 3485. An act granting an increase of pension to Mathias Hammes;
 S. 3738. An act granting an increase of pension to Lisania Judd;
 S. 3797. An act granting an increase of pension to Ahimaaz E. Wood;
 S. 3798. An act granting an increase of pension to Charles Farrel;
 S. 4005. An act granting an increase of pension to Michael Quill;
 S. 4048. An act granting an increase of pension to Henry S. Knecht;
 S. 4175. An act granting an increase of pension to John Caverly;
 S. 4177. An act granting an increase of pension to Harlan P. Cobb;
 S. 4239. An act granting an increase of pension to Job Rice;
 S. 4358. An act granting an increase of pension to Thomas McCormick;
 S. 4361. An act granting an increase of pension to John W. Daley;
 S. 4401. An act granting an increase of pension to George W. Tomlinson;
 S. 4457. An act granting an increase of pension to Louis A. Tyson;
 S. 4460. An act granting an increase of pension to Ann J. Thompson;
 S. 4488. An act granting an increase of pension to James F. Amis;
 S. 4525. An act granting an increase of pension to David Oglevie;
 S. 4569. An act granting an increase of pension to Augustus A. Nevins;
 S. 4665. An act granting an increase of pension to Lewis Du Bois;
 S. 4692. An act granting an increase of pension to Adaline M. Thornton;
 S. 4718. An act granting an increase of pension to George W. Gilson;
 S. 4752. An act granting an increase of pension to Thomas J. Tidswell;
 S. 4796. An act granting an increase of pension to Lorinda J. White;
 S. 4983. An act granting an increase of pension to John M. Farquhar;
 S. 5054. An act granting an increase of pension to George H. Woodward;
 S. 5082. An act granting an increase of pension to David N. Winsell;
 S. 5163. An act granting an increase of pension to John Mahrah;
 S. 5247. An act granting an increase of pension to Jacob Wigal;
 S. 5343. An act granting an increase of pension to Ernest H. Wardwell;
 S. 5349. An act granting an increase of pension to William H. H. Robinson;
 S. 5359. An act granting an increase of pension to William H. Ward;
 S. 5379. An act granting an increase of pension to Otto A. Risum;
 S. 5492. An act granting an increase of pension to Joseph F. Tebbetts;
 S. 5504. An act granting an increase of pension to Joseph Dickson;
 S. 5516. An act granting an increase of pension to Alfred M. Hamlen;
 S. 5522. An act granting an increase of pension to Charles E. Sischo;
 S. 5523. An act granting an increase of pension to Thomas J. Pickett;
 S. 5532. An act granting an increase of pension to Simon A. Snyder;
 S. 5539. An act granting an increase of pension to Hermann Muehlberg;
 S. 5562. An act granting an increase of pension to John Hull;
 S. 5571. An act granting an increase of pension to Betsey B. Whitmore;

S. 5579. An act granting an increase of pension to Henry T. Sisson;
 S. 5631. An act granting an increase of pension to Isaac M. Howard;
 S. 5640. An act granting an increase of pension to Clinton B. Wintersteen;
 S. 5641. An act granting an increase of pension to John W. Fletcher;
 S. 5658. An act granting an increase of pension to Nancy Pruitt;
 S. 5659. An act granting an increase of pension to William I. Brewer;
 S. 5668. An act granting an increase of pension to George P. Sealey;
 S. 5671. An act granting an increase of pension to Richard L. Delong;
 S. 5673. An act granting an increase of pension to Hilton Springstead;
 S. 5680. An act granting an increase of pension to Thomas J. Bowser;
 S. 5702. An act granting an increase of pension to Anna C. Bingham;
 S. 5704. An act granting an increase of pension to Ruth P. Pierce;
 S. 5735. An act granting an increase of pension to Andrew D. Danley; and
 S. 5736. An act granting an increase of pension to Mary Clark.

JOSEPHINE V. SPARKS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 17842) granting a pension to Josephine V. Sparks and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist on its amendment and agree to the conference asked by the House, and that the conferees on the part of the Senate be appointed by the Chair.

The motion was agreed to; and the Vice-President appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALLAFERRO as the conferees on the part of the Senate.

ALCOHOL IN THE ARTS.

Mr. ALDRICH. I ask unanimous consent for the present consideration of the bill (H. R. 17453) for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverages or liquid medicinal uses by mixture with suitable denaturing materials.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

Mr. ALDRICH. I think it has been read once.

The VICE-PRESIDENT. The bill was read yesterday.

Mr. McCUMBER. I understand that there has been some change made in reference to the time within which the bill is to go into effect. I should like to know what that change is.

The SECRETARY. The bill read "from and after three months from the passage of this act." The amendment proposes that it shall read "from and after January 1, 1907."

Mr. CULLOM. Will the Senator permit me a word?

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 17453) for the withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverages or liquid medicinal uses by mixture with suitable denaturing materials, which had been reported from the Committee on Finance with amendments.

Mr. McCUMBER. I simply desire the Senator from Rhode Island to explain the necessity for the change to which attention has been called.

Mr. ALDRICH. If the Senator was present yesterday, he would have heard read a letter from the Commissioner of Internal Revenue with reference to the time that would be necessary to prepare the regulations and to make proper provisions for the enforcement of the act. There were two considerations which affected the committee with reference to time. The letter of the Commissioner of Internal Revenue explained one of them. The second consideration was the contention of the representatives of the wood-alcohol interests that they had two years' supply of material on hand, which would be absolutely worthless to them if the bill should go into effect in the immediate future. They asked that two years be given within which they could dispose of their material. The industry of producing wood alcohol will undoubtedly be very seri-

ously, if not vitally, injured by the passage of this measure. The committee were not willing to agree to the suggestions of the wood-alcohol manufacturers, but we were inclined to think that perhaps they should have a longer time to dispose of their products or to make such other disposition of their property as they could than was provided in the bill as it passed the House.

But the main consideration which affected the committee was the statement of the Commissioner of Internal Revenue that it was absolutely necessary to take a longer time for preparation than the House allowed before the bill should go into effect.

Mr. McCUMBER. Mr. President, I have not been in Congress so very long, but I confess I have never heard before that in passing any legislation affecting the revenues of the country we ever took into consideration the fact that some persons who would be affected by the change in the law might dispose of such property as they then had on hand, or do anything else before the law should go into effect.

Now, that may help those persons, but I assume that the law is passed for the benefit of more persons and of greater interests than those simply represented by the manufacturers. I assume there is necessity for this law; that it would not be reported here at this time and immediate consideration asked unless it affected a great many people and the people desired that it be acted upon as soon as possible.

The people in my State have been clamoring for this bill. They want it to go into effect immediately. They want it to go into effect so that they can have the benefit they will derive from the bill before next winter. They want it so that they will have some benefit now. I assume that while making this law go into effect in three months may benefit these manufacturers, making it go into effect immediately would benefit interests that are a hundredfold greater than the interests of the manufacturers.

I for one can not understand why the Department can not prepare the necessary blanks within three months. It certainly seems almost inconceivable how they can make the statement that it will require a year before they can get ready to put the law into effect and secure the proper machinery.

It seems to me that it is an injustice to those for whose benefit the law is to be enacted, to provide that they shall have no benefit from the enactment this year.

I therefore ask that the amendment changing the time from three months to January 1, 1907, be disagreed to.

Mr. ALDRICH. Mr. President, the Commissioner of Internal Revenue, in a communication addressed to the committee, which was read in the Senate yesterday, stated the reasons why additional time would be required for the preparation of regulations and for other things that were necessary to be done in connection with this legislation.

Mr. OVERMAN. May I interrupt the Senator?

Mr. ALDRICH. Not just at present.

In his statement before the Committee on Finance he said he had already submitted to Congress a bill which provided that this legislation should go into effect on the 1st day of January, 1907. When asked what his purpose was in fixing that time he said:

To give us an abundance of time, Senator, to consider all of these foreign regulations and measures, and try to formulate a series of rules and regulations that would be effective to prevent fraud against the Government, and to, if possible, allow this movement to go on without being subjected to undue criticism. Of course, we will necessarily get a good deal of it.

Those were the reasons which he suggested. He went more into detail in the examination before the committee in reference to this matter.

Of course the bill as passed by the House in this case provides that all the regulations and rules with reference to this question shall be fixed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. It is a very complicated question, and will necessarily involve an examination of the methods used abroad, and not only the methods, but the substance and material which are used for denaturing purposes, and a vast variety of questions which are very important in themselves.

As to the question whether the wood-alcohol interests should be given any consideration by Congress, I will say that this industry, involving a capital, directly and indirectly, variously estimated at from \$30,000,000 to \$60,000,000, has grown up in this country under existing legislation. The fact that the Government placed a large tax upon what is called "ethyl alcohol"—that is, upon grain alcohol—and did not impose any tax upon wood alcohol, has developed this industry.

Now, the question whether they are entitled at all to the consideration of Congress, the Senate can decide as well as the committee. It seemed to the members of the committee that their condition—the fact that their industry has practically been wiped

out of existence by this legislation—did entitle them, perhaps, to some consideration as to the time when the act shall go into effect, and that, in connection with the statement made by the Commissioner of Internal Revenue, led the committee to suggest the 1st of January, 1907, instead of the House provision, fixing three months after the passage of the act.

Mr. FULTON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. McCUMBER. In just one moment.

Mr. FULTON. I wish to ask a question; that is all.

Mr. McCUMBER. Mr. President, I can not see that there is any moral obligation upon the part of Congress to give any particular length of time to the manufacturers of any article, that they may dispose of the property which they now have on hand before the value will be in anywise affected by legislation. If that were true, then we have given a guaranty to every industry in the United States, and have prevented ourselves, under a moral obligation, from ever reconsidering our tariff laws until we shall give sufficient time to each person to get out of the business he has got into without any injury whatever.

I note what the Senator says in reference to the time to secure proper regulations. All the letter or the testimony states is that this period would give them an abundance of time. It does not state that they can not do all that is required of them, and do it properly, within three months, but that if you would continue it until six months, then they would have abundant time to do all that ought to be done in the premises.

I sincerely think, Mr. President, that if they will go right at it, they will be able to do all that is necessary, and make the necessary rules and regulations, within three months, as well as taking the extra three months, or six months in all; and those three months, from October until January, are the months that will be the most important to all the consumers of this product.

Mr. ALDRICH. Mr. President, as to whether Congress is bound to consider in changes of legislation the interests of private individuals engaged in business in this country is, of course, a question which each Senator must determine for himself. But I will say that in my experience with tariff legislation and with internal-revenue legislation, it has been the invariable practice of the committee of which I have been a member, and of Congress itself, to take into consideration the interests of the people of this country and the interests of the industries affected by changes in legislation, whenever those changes grow out of a change in tariff duties or a change in internal-revenue taxes with a view of treating everybody, so far as possible, fairly. Legislation has been changed and modified to meet existing conditions with a view of preventing, if possible, the destruction or the injury of important industries.

In two or three States, in some counties of Pennsylvania, in some places in New York, in some places in Michigan, whole communities will be practically wiped out of existence by this legislation. Of course Congress can say, as the Senator from North Dakota says, we should pay no attention to that fact; that we are under no moral obligation to do so. That is a question which every Senator must determine for himself.

Mr. McCUMBER. I ask the Senator if we are not under some moral obligation to the people who are to be benefited by this enactment, whose numbers will be a thousandfold greater than this special interest?

Mr. ALDRICH. Unquestionably that is true in all legislation of this kind, in a reduction of tariff, or in an increase of tariff. The interests of the entire people, of course, or of the larger part of the people, of this country are paramount; but it is a question whether Congress, in the exercise of an equitable discretion and of a wise judgment, ought to consider the interests of a minority of the people of the United States when they can do it without any great injustice being done to anybody else.

Mr. FULTON. May I ask the Senator from Rhode Island a question before he takes his seat?

Mr. ALDRICH. Certainly.

Mr. FULTON. I wish to call has attention to the second amendment, the amendment commencing in line 4, page 2:

Such denaturing to be done in a denaturing bonded warehouse specially designated or set aside for denaturing purposes only, and under conditions prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

Has there been any change proposed in that amendment?

Mr. ALDRICH. Yes; the committee suggest a modification in the fifth line.

Mr. FULTON. So I understood.

Mr. ALDRICH. After the word "done," to insert the words "upon application of any registered distillery." The committee desire to modify the amendment in that way.

Mr. TELLER. I ask the Senator to read that again.

Mr. ALDRICH. In the fifth line, on the second page, after the word "done," insert the words "upon the application of any registered distillery."

Mr. FULTON. The question in my mind is this: Will not the amendment even as modified have the effect of requiring all of this denaturing to be done in one place, in one plant, in one warehouse?

Mr. ALDRICH. Oh, certainly not. The purpose of the amendment is that it must be done in a denaturizing room, which may be in any distillery in the United States.

Mr. FULTON. With the modification now suggested it may have that effect.

Mr. ALDRICH. That was the purpose of the committee, and it was the purpose of the Commissioner of Internal Revenue in the amendment.

Mr. FLINT. It is the purpose of the amendment?

Mr. ALDRICH. It is the purpose of the amendment.

Mr. CULLOM. The amendment, in the first instance, as reported by the committee, as I understand, was left in the discretion of the Secretary of the Treasury and the Commissioner of Internal Revenue.

Mr. ALDRICH. As to the room. It never was intended by the committee that the discretion should extend to the designation of distilleries. The intention of the committee was that in any distillery in the United States the Commissioner might designate a room within the distillery premises that could be used for denaturizing purposes and which should be used for denaturized purposes only. I think the purpose of the amendment, the necessity for it, in fact, must be apparent to all Senators, because this work can not be done or ought not to be done or attempted in any place except in a room which is used for that purpose alone.

Mr. CULLOM. So, as I understand the Senator now, any registered distillery has the right to carry on this business.

Mr. ALDRICH. Exactly; but it must be done in a room within the distillery premises.

Mr. CULLOM. The amendment opens it to distilleries generally.

Mr. ALDRICH. It does more clearly what the Commissioner of Internal Revenue intended to do by the language of the amendment as it was originally drawn.

Mr. FOSTER. The owner, then, of the registered distillery designates or sets aside the place where the denaturizing must take place?

Mr. ALDRICH. Yes; within a room in the distillery premises.

Mr. CULLOM. Of any registered distillery?

Mr. ALDRICH. Of any registered distillery.

The committee desired to modify the bill in line 6 by striking out the word "aside" and inserting the word "apart," so as to read "set apart" instead of "set aside," which seems better to describe what the committee intended to do.

The VICE-PRESIDENT. The Senator from Rhode Island modifies the committee amendment as follows:

The SECRETARY. On page 2, line 5, after the word "done," insert "upon the application of any registered distillery;" and in line 6 strike out the word "aside" and insert the word "apart."

The VICE-PRESIDENT. Without objection, the modification is made.

Mr. TELLER obtained the floor.

Mr. SCOTT. Mr. President, just one moment.

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from West Virginia?

Mr. TELLER. I yield to the Senator from West Virginia.

Mr. SCOTT. In line 5 the word "warehouse," I suggest, should read "warehouses."

Mr. ALDRICH. There is no objection to that.

The VICE-PRESIDENT. Without objection, that modification is made.

Mr. TELLER. Mr. President, the demand for this legislation has been exceedingly active of late, but for the last twenty-five years the question has been before the Senate more or less. Some years ago Congress passed an act of this kind in connection with what was known as the "Wilson tariff bill." It was so badly drafted that when the Treasury Department came to look at it and consulted the legal department they concluded that it was impossible of execution without opening the door to such great frauds that it could not be done. No attempt was ever made to put it in operation. When that bill was presented, the committee, of which I happened to be a member, were met with two phases of the question. They were met, first, by the people who are making wood alcohol—which is a great industry in this country, especially in the Northwest and somewhat in New England—with the suggestion that they

thought this legislation would be very injurious to their enterprise. A large number of those manufacturers came before the committee and were heard. We were also met, on the other hand, by the Department of the Government charged with the collection of our revenues, the Treasury Department, with the statement of the fear that any legislation we might enact would be open to fraud and that we would make a mistake, no matter what we did.

We first heard the Commissioner of Internal Revenue, Mr. Yerkes, whose especial duty it is to look after these matters, and then we heard the people who are engaged in the manufacture of wood alcohol. I think the latter made a case which would justify us, instead of postponing the time within which this law shall go into effect for six months, in postponing it for one year. It may be a great hardship on the people who are expecting to use alcohol in various ways, who hope to take advantage of this bill, but the statement made by these producers of wood alcohol is that they have a large amount of supplies on hand in the shape of prepared wood that would be absolutely useless if their industry is destroyed. I am not one of those who believe that their industry will be destroyed, but many of them believe it will be. It seemed to me that a great industry that has grown up, representing many millions of dollars, was entitled to consideration when we should change a law that has been in existence for such a long time, especially if its effect was to be what they claimed, driving them out of business, and if, as the Senator from Rhode Island [Mr. ALDRICH] says, will destroy whole communities.

I believe, with the Senator from Rhode Island, that every tariff law that has ever been enacted in this country has kept in mind the question, How will this law affect existing commerce and trade? And that is what ought to be taken into consideration. No tariff law ought to be enacted which does not keep that in view, because, having built up these industries under existing law, we have no right to suddenly change it and wipe out an industry.

Mr. McCUMBER. May I ask the Senator a question?

Mr. TELLER. Certainly.

Mr. McCUMBER. I ask the Senator whether any of the tariff laws which we have passed of late years have gone into effect six months or a year after their enactment?

Mr. TELLER. We have never enacted any law since I have been in public life which has accomplished what these people state that this law will accomplish, and when we have passed tariff laws we have framed such laws in some way to meet such difficulties.

Mr. McCUMBER. I simply asked as a matter of information, because I was not present in Congress at the time of the passing of those laws; but I understood that all of them went into effect immediately upon their passage.

Mr. ALDRICH. Oh, no; none of them did, Mr. President. The Senator is in error about that. No tariff act has ever gone into effect immediately, and various provisions of the tariff acts of which I have knowledge—and I have had more or less knowledge of them for quite a number of years—have gone into effect at different times, in order to take care of the very character of case which is now under consideration.

Mr. TELLER. The Senator from Rhode Island [Mr. ALDRICH], who is better acquainted with the tariff than anybody of whom I know, has answered the question asked by the Senator from North Dakota [Mr. McCUMBER]. He has stated the case exactly as I understand it.

But I want to say a word or two about this bill. I repeat, for twenty-five years this matter has been pressed upon Congress. I remember the late Senator from Massachusetts, Mr. Hoar, presented it again and again. Recently there has been a very decided interest in this class of legislation, based upon the theory that it was going to furnish a cheap power; and, for the first time in the many years I have been in the Senate, I have begun to get telegrams and letters from my State in regard to the subject. I have never during the whole controversy received a letter from Colorado urging this legislation, until within the last three months, when letters and telegrams have come to me in considerable numbers; and it is very apparent that the people have suddenly come to the conclusion that this bill is going to be of material benefit to them. It could only be of benefit to one class, and that is those who want to use power in small quantities, the class of manufacturers who use more or less alcohol for manufacturing purposes. Their manufacture includes quite a variety of articles of wearing apparel, etc., as I understand. I believe it can be used somewhat in the preparation of tobacco and in various other ways. I believe it is used also in the making of cotton goods which will resemble silk, and which are on the market. It is said a large amount of alcohol is used in that way. That, however, is not,

in my opinion, where this original movement came from. I believe some of our temperance friends thought it would be a help to the temperance cause to have free alcohol. I do not know why or how. I can not quite understand it.

Mr. President, the Secretary of the Treasury came before the committee, not for the purpose of opposing the measure, but for the purpose of explaining to the committee the difficulties which would be encountered in the operation of the law and the danger that the law would be abused and a large amount of alcohol now paying duty to the Government would escape taxation. I believe everybody recognizes the fact that this bill in some measure must reduce our revenues, but to what extent nobody is able to state. That we have yet to find out.

Mr. President, I want to say here that I have been in favor of this because it seemed to me to meet a demand that the people are making, and because I believed it was possible, and so believe now, that we might so arrange it that very little fraud would be practiced under it; and that is one of the things for which the Department wants a little time to get ready, so as to prepare warehouses where this alcohol is to be denatured. If it is to be free of tax, I think the time we have given is exceedingly short for that purpose.

Mr. President, I believe when this bill becomes a law and goes into effect those who expect to use this character of alcohol for power will be disappointed; and that is the only use it is expected to be put to in my section of the country. A great many of my people think they will be able to use it for a cheap power to lift water for irrigating purposes and for all sorts of farm use, and I presume the same is the case in other sections of the country; but I will venture to say that when this power is brought into competition with some other power alcohol can not compete with it. I do not believe that the people will find any great benefit from this bill, so far as the question of cheap power is concerned. The manufacturers may derive benefit from it—those who make hats, those who want to turn cotton into something resembling silk, and a few manufacturers of other articles. It will help them; but the farmer—and we have heard a good deal about the farmer of late in connection with this measure to the effect that he is demanding it—I think will find that there is a far cheaper power than alcohol. It may be electricity or it may be something else.

Mr. President, there has been considerable said about the Standard Oil Company being opposed to this bill. There has not been before our committee, and I have not heard anywhere else, the slightest reason to suppose that the Standard Oil Company cares whether this bill passes or does not pass. I do not believe anybody particularly cares about it. The only people who have filed a vigorous protest are the people who are making alcohol out of wood. This kind of alcohol, of course, does not enter into drinking consumption as alcohol at all, but it does enter into the manufactures of the country.

I hope this bill will be of some benefit to the manufacturers of the country. It may be that denatured alcohol may be used in a small way for lighting purposes in the farmhouse, but it is very doubtful whether it can compete with oil at the present price or even at a considerably higher price than that at which oil is now being sold. So I think the people will be very much disappointed in the application of this law to their condition. I do not think the Senator from North Dakota [Mr. McCUMBER] ought to complain if we give these manufacturers six months to accommodate themselves to the new conditions created by this proposed law.

Mr. MARTIN. Mr. President, alcohol is used in the manufacture of ether. There are other processes for the manufacture of ether in which alcohol is not used. I should like to ask the Senator from Rhode Island in charge of this bill what he understands the effect of the bill will be? I should like to know whether or not alcohol free of tax can, after the passage of this bill, be used in the manufacture of ether?

Mr. ALDRICH. Mr. President, under the terms of this bill the manufacturers of ether can not use alcohol free of tax. There is an express reservation that the bill shall not apply to alcohol used as a beverage or for liquid medicinal preparations. Therefore it would not apply to the manufacture of sulphuric ether. I myself think it ought to so apply. The bill which was prepared by the Senator from Iowa [Mr. ALLISON] and myself some years ago was made to apply to all industrial purposes, including medicinal purposes. That bill would have applied to the manufacture of sulphuric ether.

I think it is very important in this country that sulphuric acid ether should be much cheaper than it now is, but this bill, as now framed, does not give free alcohol to the sulphuric ether manufacturer.

Mr. MARTIN. I should be glad to be informed, if the Senator

from Rhode Island happens to know, whether that is the construction of the Commissioner of Internal Revenue?

Mr. ALDRICH. It is, undoubtedly; and the language used could have no other construction.

Mr. MARTIN. I understand the bill as the Senator does, though I would not be clear about it if it were left to the clause to which the Senator has just referred; but there is another clause in the bill, in which it is made a criminal offense to use alcohol which has been withdrawn from bond under the provisions of this proposed law for the purpose of manufacturing any beverage or liquid medicinal preparation. I do not know how alcohol is used, whether it is used as an agency in the manufacture of ether or whether it enters into it as a component part. I am not familiar with the process, and I have some little doubt about the proper construction; but I am inclined to the same view as that expressed by the Senator from Rhode Island, and accept his construction and the construction as well, which he has, as I understand, from the Commissioner of Internal Revenue.

Mr. FOSTER. Will the Senator from Rhode Island permit me to ask him a question as to the amendment and its effect? As I understand it, under the committee amendment as now amended, any established distillery may designate and set aside a bonded warehouse for the purpose of denaturing alcohol. Do I understand that this bonded warehouse may be established without the permission of the Commissioner of Internal Revenue?

Mr. ALDRICH. As I understand the provision, it is made the duty of the Commissioner of Internal Revenue to designate a room on the distillery premises, to be used for denaturing purposes, upon the application of the owner of any registered distillery. There is no discretion left to the Commissioner, except as to the designation of the room—not that he may without his approval of the application itself. As I understand this bill, every registered distillery in the United States can apply to the Commissioner of Internal Revenue, and then it becomes the duty of the Commissioner to designate the room within the distillery premises within which the denaturing process shall be carried on.

Mr. FOSTER. Can the Commissioner refuse to designate the room upon application?

Mr. ALDRICH. He can not, according to my understanding of the bill, and that is the understanding of the Commissioner also.

Mr. McCUMBER. I should like to ask the Senator from Rhode Island about how many companies are engaged in the manufacture of the wood alcohol which he says will be affected by this bill? I understand he stated there are about \$40,000,000 of capital invested in the business, but I should like to know how many companies there are.

Mr. ALDRICH. There are in the neighborhood of 120 different establishments. The number varies from 120 to 140 separate establishments, in three or four different States, which are engaged in the manufacture of wood alcohol.

Mr. McCUMBER. Is the business in any wise equally proportioned, or is the greater per cent of it owned by one corporation?

Mr. ALDRICH. I think it is scattered very largely in a great number of corporations. The refining of the alcohol is done largely by one company, but the production itself from the wood is done by 120 different companies.

Mr. McCUMBER. The producing companies sell to the refining companies?

Mr. ALDRICH. They sell to the refining companies. They sell the crude product to the refining companies, and the refining companies refine about 70 per cent of the entire product.

Mr. HALE. The investigation by the committee shows that not only are these establishments not in a great trust, but in several cases, in not very large towns, three or four different establishments manufacture wood alcohol and have nothing whatever to do with each other.

Mr. McCUMBER. What I want to get at is whether the refining company, which practically purchases most of it, is in a trust or is one single corporation.

Mr. ALDRICH. As I have stated, there is one corporation, called, I believe, the "Wood Product Company," that does a large part of the refining. It is a corporation. I do not know whether or not it would meet the Senator's characterization of a trust. It is a corporation doing a certain amount of the business of refining. They buy the crude product and refine it, but there are a number of other companies engaged in the work.

Mr. McCUMBER. I should like to ask the Senator also whether this refining company is in anywise connected with or owned by the Standard Oil Company. I suppose that appeared in the hearings.

Mr. ALDRICH. It does not appear in the hearings, but I happen to know that the father of the president of this company is the man who originated the process of refining wood alcohol. The president of this company has been in the business all his life, and he owns, I think, a large part of the stock of this company himself. I am perfectly certain he is not connected with anybody else outside of his own company or with a trust of any kind.

Mr. McCUMBER. I asked those questions, Mr. President, because of the suggestion of the Senator from Colorado [Mr. TELLER] that the Standard Oil Company did not seem to be taking any interest in this matter. I was about to ask the Senator at that time whether or not there was any necessity for the Standard Oil Company taking any interest in it; whether or not it could not in a very short time, as quickly as this proposed law went into effect, buy up all of these companies, just as it has the companies which now make up the body of that immense corporation. The probabilities are, if it considers the business is profitable enough, that it will do so.

Mr. ALLISON. Mr. President, I only desire to say a few words as respects this bill, and as to the time when it shall go into effect. I think the time fixed—January 1, 1907—is as early as it is wise to have this bill go into effect. In many respects it is a very important bill. It has for its foundation more than \$100,000,000 of revenue that may or may not be affected by the operations of the bill.

It is necessarily a crude bill, because it seems to be essential to pass it at this session of Congress, there being a great public demand for it. It ought to have been, in my judgment, more carefully and more elaborately considered; but I believe, as it is amended by the Senate Committee on Finance, it can be put into operation effectively, and with proper checks to prevent frauds upon the revenue; but I do not believe it will accomplish all that many of its friends think it will accomplish.

As it now is before the Senate, every registered distillery is authorized to make application for the privilege of manufacturing denatured alcohol. Whilst that is a privilege, I imagine relatively very few of the distillers will avail themselves of it. Certainly a large number of the distilleries that manufacture whisky for the ordinary bonded warehouse will not go into this business. It is only those who manufacture alcohol for immediate consumption, and who pay the tax presently, that will probably avail themselves of this privilege.

I do not know what the regulations of the Commissioner of Internal Revenue may be, but they certainly ought to place a limit upon the daily production of the distillery that desires to use this process. So that I have no doubt only those distilleries which produce, say, 500 gallons per day will be able to avail themselves of the provisions of this bill.

There is another thing in connection with this proposition which I think ought to be considered, and that is that the Government undertakes this business for the benefit of these manufacturers. There is an appropriation of \$250,000 in the bill, which, of course, if it is generally availed of, will not be sufficient to pay the expenditures. The work of denaturing alcohol must be done in the presence and under the guidance of a storekeeper, an inspector, and a gauger, in order that frauds may be prevented. There is no provision in the bill whereby anyone shall bear those expenses, and therefore they must be paid out of the Treasury. To that extent this bill will be an expense to the Treasury of the United States. The appropriation made by the bill is \$250,000, but it is probable that a much larger amount will be needed during the next year.

I consented to the passage of this bill for the reason that I believed it might be well to start it on its pathway during the next fiscal year, and that it was possible for the Commissioner of Internal Revenue and the Secretary of the Treasury to make regulations that would prevent frauds on the revenue; but I do not believe that they should have for this purpose a less time than six months. It is a matter that can not be hastily done. The Secretary of the Treasury and the Commissioner of Internal Revenue must necessarily examine with care the processes that are now in vogue in Germany, in Great Britain, and in other countries of Europe, where the conditions are very different from those that prevail here. There they have more complete control over distilleries than we have in this country. Here anyone who desires can establish a distillery, and under this bill anyone who desires can start a new manufacture of alcohol.

I infer that the Senator from North Dakota [Mr. McCUMBER] believes that under this bill the people of North Dakota will see denatured alcohol distilleries spring up. I know an impression prevails in different portions of the State in which I live that there will be distilleries of denatured alcohol established, al-

though I believe there is only one distillery in the State at this time.

When these distilleries are established, they must be provided for under the limitations and provisions of our present internal-revenue law as respects distilled spirits; otherwise the denatured spirits will in some way get into the commerce of the country without the payment of the \$2.07 tax that is placed upon each gallon. So there will be a great temptation to men to secure this alcohol for general commercial purposes without the payment of the tax. A man who can secrete two gallons of alcohol per day will make more than an ordinary skilled mechanic. Therefore it is that at every step in these processes there must be a watchful eye until the denaturing process absolutely takes effect, or else there will be fraud. There is nothing short of the absolute injection of these poisonous materials, whatever they may be, into this alcohol that will prevent fraud.

So, without reference to the question of wood alcohol, I do not believe it is wise to make a date for this bill to go into operation earlier than the 1st day of January next, and I believe, from what I have heard, that the Commissioner of Internal Revenue also thinks so. He prepared a bill, at the request of the House of Representatives, upon this subject, after a good deal of care, and in it he provided that it should take effect on the 1st day of January, 1907. When he was before the House Committee, they wanted the bill to take effect at an earlier date. He said, if they insisted on ninety days, the necessary regulations could be prepared in that time, under compulsion, of course; but I want the Secretary of the Treasury and the Commissioner of Internal Revenue to have ample time to prepare these regulations so that they will be as nearly impervious to fraud as human ingenuity can make them. The Commissioner of Internal Revenue also presented a bill to the Committee on Finance, in which the date for the bill to take effect was fixed for the first of January next.

Therefore, while I am as anxious and my people are as anxious—I say my people; I mean the people of Iowa—that this bill should go into effect at the earliest possible day as are the people of any other State, I think the hazard to the revenue is too great for us to precipitate this at an earlier day than it is perfectly certain that the proper officers will be able to deal with it.

Mr. McCUMBER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. ALLISON. Certainly.

Mr. McCUMBER. I made the motion more for the purpose of ascertaining the reasons and to get the question before the Senate, as I am not a member of the Committee on Finance. If it is the unanimous opinion of the members of the Committee on Finance that the bill should not go into effect until the 1st of January, not being a member of the committee and not being informed on the subject, I will not attempt to press my judgment against the judgment of the committee which has considered it. Therefore I withdraw the motion.

Mr. ALLISON. I believe that is the unanimous judgment of the committee. It is certainly my judgment.

Mr. HALE. Mr. President, there is no reason why I should occupy very much of the time of the Senate, but I wish to say that as a new member of the Committee on Finance, which has considered this subject, the investigations we made, the hearings we had, did give me, to some extent, an education upon the subject. I realized from those hearings and investigations the great magnitude of this plan and scheme, the possibilities and probabilities of fraud and of alcohol not intended to be actually denatured getting on to the market by stealth and fraud, and thus escape the tax. We heard the Secretary of the Treasury and the Commissioner of Internal Revenue, who I think impressed the committee as being a man of singularly clear judgment, of great capacity and integrity and fundamental knowledge, on this subject and with its operations.

When we came to consider what was perhaps the mainly debatable question, as to when the act should be put in force and effect, the committee was united in the belief that it could not be made to start as a practical, safe scheme under the time between now and January 1. The wood-alcohol men desired much more time, and showed to the committee the condition of their plants, the accumulation of stock and of wood, the underlying material, and asked for two years. But hearing them all and hearing fully the Secretary and, as I have said, the Commissioner of Internal Revenue, the committee believed that, considering the equities of the wood-alcohol manufacturers and the time required by the Government to put the machinery in force and the great public demand for this bill, the 1st of January was a fair and safe date to be fixed; that it would give

some time to the wood-alcohol manufacturers to carry out their work and use up their accumulated supplies of materials; that it would afford time to set all the machinery at work, and would, at a near date, give the public a bill which can only be judged after it has been tried.

I agree with the Senator from Iowa [Mr. ALLISON] that the benefits are not likely to be so great as public sentiment now measures them; but that it will be important, and that great industries will be helped, stimulated, improved, and advanced among the people by this measure to a very considerable extent, I believe. We shall know, after it has been tried, two things: How much good it does in the diffusion throughout the country of denatured alcohol in the arts and in the industries of the country, and we shall know whether we have securely protected the Treasury from fraud, and shall then be prepared—I think that is the best that can be said of this bill—to consider, as one of the sections of the bill provides for, for further considering it and making it, if need be, a more perfect bill.

The bill has certainly my godspeed. I think we can do what other countries have done. There has been no attempt on the part of anybody—on the part of the Committee on Finance or the Senate—to delay, but we have held session upon session, day after day, at early and late hours, and this is the result of the deliberations of the committee.

The VICE-PRESIDENT. The amendments proposed by the Committee on Finance will be stated.

The first amendment of the Committee on Finance was, in section 1, page 1, line 3, after the word "after," to strike out "three months from the passage of this act" and insert "January 1, 1907;" in line 11, after the word "officer," to strike out "before" and insert "after;" in line 12, before the word "warehouse," to strike out "bonded" and insert "distillery;" in the same line, after the word "with," to insert "methyl alcohol or other;" on page 2, line 1, after the word "material," to insert "or materials, or admixture of the same;" and in line 4, after the word "purposes," to insert:

Such denaturing to be done upon the application of any registered distillery in denaturing bonded warehouses specially designated or set apart for denaturing purposes only, and under conditions prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

So as to make the clause read:

That from and after January 1, 1907, domestic alcohol of such degree of proof as may be prescribed by the Commissioner of Internal Revenue, and approved by the Secretary of the Treasury, may be withdrawn from bond without the payment of internal-revenue tax, for use in the arts and industries, and for fuel, light, and power, provided said alcohol shall have been mixed in the presence and under the direction of an authorized Government officer, after withdrawal from the distillery warehouse, with methyl alcohol or other denaturing material or materials, or admixture of the same, suitable to the use for which the alcohol is withdrawn, but which destroys its character as a beverage and renders it unfit for liquid medicinal purposes; such denaturing to be done upon the application of any registered distillery in denaturing bonded warehouses, specially designated or set apart for denaturing purposes only, and under conditions prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, on page 2, section 2, line 23, after the word "That," to insert:

Any person who withdraws alcohol free of tax under the provisions of this act and regulations made in pursuance thereof, and who removes or conceals same, or is concerned in removing, depositing, or concealing same for the purpose of preventing the same from being denatured under governmental supervision, and,

In line 13, after the word "sells," to strike out "or;" in the same line, after the word "conceals," to insert "or otherwise disposes of;" and in line 16, after the word "both," to insert:

And shall, in addition, forfeit to the United States all personal property used in connection with his business, together with the buildings and lots or parcels of ground constituting the premises on which said unlawful acts are performed or permitted to be performed.

So as to make the clause read:

SEC. 2. That any person who withdraws alcohol free of tax under the provisions of this act and regulations made in pursuance thereof, and who removes or conceals same, or is concerned in removing, depositing, or concealing same for the purpose of preventing the same from being denatured under governmental supervision, and any person who uses alcohol withdrawn from bond under the provisions of section 1 of this act for manufacturing any beverage or liquid medicinal preparation, or knowingly sells any beverage or liquid medicinal preparation made in whole or in part from such alcohol, or knowingly violates any of the provisions of this act, or who shall recover or attempt to recover by redistillation or by any other process or means, any alcohol rendered unfit for beverage or liquid medicinal purposes under the provisions of this act, or who knowingly uses, sells, conceals, or otherwise disposes of alcohol so recovered or redistilled, shall on conviction of each offense be fined not more than \$5,000, or be imprisoned not more than five years, or both, and shall, in addition, forfeit to the United States all personal property used in connection with his business, together with the buildings and lots or parcels of ground constituting the premises on which said unlawful acts are performed or permitted to be performed.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 15, after the word "appropriated," to insert "said appropriation to be immediately available;" so as to read:

The sum of \$250,000, or so much thereof as may be required, is hereby appropriated out of any money in the Treasury not otherwise appropriated, said appropriation to be immediately available.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to insert as a new section the following:

SEC. 4. That the Secretary of the Treasury shall make full report to Congress at its next session of all appointments made under the provisions of this act, and the compensation paid thereunder, and of all regulations prescribed under the provisions hereof, and shall further report what, if any, additional legislation is necessary, in his opinion, to fully safeguard the revenue and to secure a proper enforcement of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I move that the Senate proceed to the consideration of the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. PROCTOR. I ask that the informal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE-PRESIDENT. Without objection, that course will be pursued.

MATERIAL AND EQUIPMENT FOR PANAMA CANAL.

Mr. ALDRICH. I ask the Senator from Vermont to allow me to try to get up the joint resolution which I reported yesterday with reference to material for the construction of the Panama Canal, in order that it may be adopted to-day. If it shall give rise to discussion I certainly will not press it, but will await some other time for its consideration. If it can be considered without debate, I should be very glad to have it considered now.

Mr. BERRY. Mr. President, it can not be done without debate. I would rather it should go over until to-morrow.

Mr. ALDRICH. I am very sorry it can not be considered at this time, because I think it is in the public interest that the joint resolution should be considered now.

Mr. BERRY. I desire to make some remarks on it. Is it to go over until to-morrow?

Mr. ALDRICH. It will go over until some other time. I shall not be here to-morrow, but I imagine that some other member of the committee will call it up then.

Mr. BERRY. The Senator will not call it up to-day?

Mr. ALDRICH. I will not call it up to-day.

AGRICULTURAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 18537) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Agriculture and Forestry was, on page 2, line 4, before the word "dollars," to strike out "two thousand five hundred" and insert "three thousand;" in line 14, after the word "dollars," to insert "one inspector, \$2,000;" in line 17, before the word "clerks," to strike out "two" and insert "three;" in line 18, before the word "hundred," to strike out "two thousand eight" and insert "four thousand two;" in the same line, before the word "clerks," to strike out "six" and insert "seven;" in line 19, before the word "hundred," to strike out "seven thousand two" and insert "eight thousand four;" on page 3, line 2, before the word "dollars," to strike out "nine hundred" and insert "one thousand;" and in line 6, before the word "dollars," to strike out "nine hundred" and insert "one thousand;" so as to make the clause read:

Office of the Secretary: Secretary of Agriculture, \$8,000; Assistant Secretary of Agriculture, \$4,500; and the Assistant Secretary is hereby authorized to perform such duties in the conduct of the business of the Department of Agriculture as may be assigned by the Secretary of Agriculture; chief clerk, \$2,500; one solicitor, \$3,000; private secretary to the Secretary of Agriculture, \$2,500; stenographer and executive clerk to the Secretary of Agriculture, \$2,000; stenographer to the Assistant Secretary of Agriculture, \$1,400; private secretary to the Assistant Secretary of Agriculture, \$1,000; one appointment clerk, \$2,000; one chief of supply division, \$2,000; one telegraph and telephone operator, \$1,400; one telegraph and telephone operator, \$1,200;

one inspector, \$2,000; one clerk class 4, \$1,800; three clerks class 3, \$4,800; three clerks class 2, \$4,200; seven clerks class 1, \$8,400; two clerks, at \$1,000 each, \$2,000; one clerk, \$900; one clerk, \$840; six clerks, at \$720 each, \$4,320; one chief engineer, who shall be captain of the watch, \$1,600; one fireman, who shall be a steam fitter, \$1,000; three assistant firemen, at \$720 each, \$2,160; one assistant fireman, \$600; one carpenter, \$1,000; one electrician, \$1,000; one painter, \$1,000, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 16, to increase the appropriation for the clerical force of the office of the Secretary of Agriculture from \$84,660 to \$89,960.

The amendment was agreed to.

The next amendment was, on page 4, line 4, before the word "dollars," to strike out "seven hundred and twenty" and insert "eight hundred and forty;" in line 10, before the word "dollars," to strike out "ten thousand" and insert "seven thousand six hundred;" and in line 12, before the word "dollars," to strike out "twenty-five thousand eight hundred and forty" and insert "twenty-three thousand five hundred and sixty;" so as to make the clause read:

Office of the Secretary: * * * one painter, \$840; eleven laborers or charwomen, at \$480 each, \$5,280; one charwoman, \$540; five charwomen, at \$240 each, \$1,200; for extra laborers, emergency employments, and pay of rents, \$7,600; in all, \$23,560.

The amendment was agreed to.

The next amendment was, on page 4, line 14, to increase the total appropriation for the maintenance of the office of the Secretary of Agriculture from \$110,500 to \$113,520.

The amendment was agreed to.

The next amendment was, under the head of "Weather Bureau," on page 5, line 21, after the word "one," to strike out "battery man" and insert "electrician;" and in line 22, before the word "dollars," to strike out "eight hundred and forty" and insert "one thousand;" so as to read:

One engineer, \$1,200; one captain of the watch, \$1,000; one electrician, \$1,000; six skilled artisans, at \$840 each, \$5,040, etc.

The amendment was agreed to.

The next amendment was, on page 6, line 18, to increase the total appropriation for salaries in the office of the Chief of the Weather Bureau from \$194,530 to \$194,690.

The amendment was agreed to.

The next amendment was, on page 6, line 25, after the word "books," to insert "necessary scientific and other publications;" so as to read:

Contingent expenses, Weather Bureau: Stationery and blank books; necessary scientific and other publications; furniture and repairs to same; freight and express charges, etc.

The amendment was agreed to.

The next amendment was, on page 8, line 7, before the word "stationery," to insert "scientific and other publications;" in line 14, before the word "telegraph," to strike out "seacoast" and insert "Weather Bureau;" so as to read:

General expenses, Weather Bureau: Every expenditure requisite for and incident to the establishment, equipment, and maintenance of meteorological observation stations in the United States, * * * including the purchase of scientific and other publications, stationery, furniture, instruments, storm-warning towers, and all other necessary supplies and materials.

The amendment was agreed to.

The next amendment was, on page 8, line 19, after the word "months," to insert:

And who may be employees of other Departments of the Government, and the provisions of the act approved March 3, 1885, providing that no part of the money appropriated for the Department of Agriculture shall be paid to any person as additional salary or compensation shall not apply to said employees.

So as to read:

Including pay of special observers and display men, none of whom shall receive more than \$25 per month, and who may be employees of other Departments of the Government, and the provisions of the act approved March 3, 1885, providing that no part of the money appropriated for the Department of Agriculture shall be paid to any person as additional salary or compensation shall not apply to said employees.

Mr. HALE. I do not quite get the force of what is intended to be effected by this amendment.

Mr. PROCTOR. As the Senator will observe, the preceding clause reads:

Including pay of special observers and display men, none of whom shall receive more than \$25 per month and who may be employees of other Departments of the Government.

It is proposed that the Weather Bureau may employ the life-saving men and men who are in Government employ at a much less cost than would be involved if the bureau sent an employee at the full charge of the Bureau. It is a money—

Mr. HALE. I do not know but that the conditions are such here that this mingling of the two services and paying extra for men who are taken from one service and put into another may be justified. But it certainly is not a thing which we ever do or that I have ever known to be done. We have all the different Departments and bureaus of the Government with fixed

salaries, and the salaries are made upon the theory that the employees who receive the salaries give their time to the Government. We adjust their salaries not upon the basis or the suggestion that they are to receive any money from any other Department of the Government, and if this is looked upon or accepted as a precedent it will work great mischief.

Senators can see in a moment that the proposition that one Department of the Government may take employees, and salaried employees, from another Department of the Government and pay them additional salaries or sums of money is one that will work evil. It will be contrary to our whole system, and it ought to be contrary to our whole system. It confuses the service and it makes a precedent, and I am afraid will be the occasion for subsequent requests and demands of this kind.

We are trying with respect to our appropriations more and more every year, both in the House and in the Senate, to keep every Department distinct from every other Department. We have provided within the last few years that all general lump sums out of which clerks and employees are paid shall be estimated for and considered by Congress in detail and that the salaries shall be in full for compensation for the office or for the employment indicated and provided for. I am almost inclined to make the point of order. Of course, there is a general law that there shall be no extra salaries paid. But I will not make the point of order until I get some further explanation of the great need and great emergency that requires this abnormal provision.

Mr. PROCTOR. The Senator from Maine is entirely right as to the general proposition, but it appeared to the committee that in the peculiar weather service there were many places along the coast where this provision would be valuable. This statement was made: They could frequently get the observations the Chief of the Weather Bureau required and the reports by paying \$10 a month to some official of the Government, whereas if he sent a man especially for that purpose he would have to pay him \$75 a month. It was for the sake of getting the most service possible at the smallest compensation. These men could not be required, of course, to do this service unless they were willing to enter it. They are appointed for a special duty in some of the Departments. If there were a law requiring them to do it, it would be very well.

I care nothing about this amendment, and if the Senator makes the point of order it will surely lie. The committee reported it because they thought it would give more service at a very much less cost. It is an unusual provision, and I should not wish to see it extended.

Mr. HALE. I do not think the reason the Senator from Vermont gives is sufficient.

Mr. PERKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. Yes.

Mr. PERKINS. It was especially pressed upon your committee, in considering this matter, that there were a number of life-saving stations and light-house stations on the coast of Washington and the coast of Oregon especially, where the Department could receive no other reports than those that came from this source or from this avenue, from those who were stationed there in charge of the stations.

Mr. HALE. I would have no objection to a provision that should direct the life-saving force, when it is practicable and does not interfere with its duties, to communicate to the Weather Bureau such information as it has secured or is able to get. But the reason given by the Senator from Vermont, I think, is so inadequate that I am constrained to make the point of order.

The VICE-PRESIDENT. The Chair sustains the point of order.

Mr. NELSON. Before the point of order is finally decided, I would suggest an amendment that I think will overcome the objection. If you will limit it to those employed in the Life-Saving Service and to light-house keepers along the coasts, there will be no harm in it.

Mr. HALE. My objection is not to its scope, but it is to taking employees from one branch of the service and using them in another branch and paying them an extra salary—two salaries.

Mr. NELSON. I desire to say further to the Senator from Maine that I had occasion to examine a while ago the pay and duties of the life-saving men along the coasts. Their pay is very small. They are required to patrol the coast from one end to the other along their beats. I think no class in the service gets less pay than they do. If you allow those men to perform this additional duty and give them not to exceed \$25 a month, they will still get less than a hundred dollars in all.

Mr. HALE. The way to do that is in the proper appropriation bill to give these men suitable salaries. The very fact that the amendment carries with it the idea that they have time in their service to do this extra outside work, which would increase their pay \$25 a month, does not indicate that they are so overbusy and need advanced salaries. But I am not committing myself to that proposition. Whenever that does come up in any proper appropriation bill we can regulate their salaries, but let us keep the different departments of the Government separate and apart.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 9, line 24, to increase the total appropriation for the maintenance of the Weather Bureau from \$1,439,080 to \$1,439,240.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Animal Industry," on page 10, line 4, before the word "clerks," to strike out "two" and insert "three;" and in line 5, before the word "hundred," to strike out "three thousand six" and insert "five thousand four;" so as to read:

Salaries, Bureau of Animal Industry: One Chief of Bureau, \$4,500; one chief clerk, \$2,000; three clerks of class 4, \$5,400, etc.

The amendment was agreed to.

The next amendment was, on page 11, line 4, to increase the total of the appropriations for salaries, Bureau of Animal Industry, from \$82,980 to \$84,780.

The amendment was agreed to.

The next amendment was in the items of appropriations for general expenses, Bureau of Animal Industries, on page 12, line 12, before the word "thousand," to strike out "five hundred and seventy-five" and insert "six hundred and twenty-five;" so as to read:

Provided further, That the Secretary of Agriculture may, in his discretion, waive the requirement of a certificate with beef and other products which are exported to countries that do not require such inspection, \$1,625,000, etc.

Mr. LONG. I wish the attention of the chairman of the committee to this amendment. I move to strike out "twenty-five thousand" and insert "seventy-seven thousand two hundred," so as to read "one million six hundred and seventy-seven thousand two hundred dollars." That is the estimate of the Secretary of Agriculture, who stated that amount was necessary to make the inspections required.

Mr. PROCTOR. It is very true that the amendment offered by the Senator from Kansas just brings the appropriation to the estimate which was made by the Secretary. It is also true that the Secretary, in his statement before the committee, said that of all things in the bill this is the most important, as he deemed, to successful administration.

The committee at first agreed to the full amount of the estimate which is asked for by the Senator from Kansas. Later, in an executive meeting, the desire to economize and to reduce the appropriation, just as far as possible induced the committee to deduct \$50,000.

I think myself that the Secretary should have the full amount of his estimate. He has had to have within a year emergency appropriations, and the present state of excitement in reference to the stock business throws more work upon this Bureau of the Department. It is for the Senate to judge whether the desire for economy shall prevail over these considerations.

Mr. SPOONER. I should like to ask the Senator if the committee had any reason to suppose that the Secretary's estimate was too large?

Mr. PROCTOR. No; we did not. We thought it was probably reasonable, but the Senator knows very well that we have to guess sometimes what may be really needed. We hoped that he might get along with a less amount and thus save increasing the appropriations carried by the bill.

Mr. SPOONER. Then really it was cut down without any judgment or sense on the part of the committee?

Mr. PROCTOR. I do not want to confess to an entire lack of sense, but every committee in making appropriations, I believe, reduces amounts sometimes when they would be glad to give the greater sum if they could do so consistently.

Mr. CARTER. Mr. President, I am gratified to hear the chairman of the committee express himself in favor of appropriating the amount of the estimate in this case. I desire to call the attention of the Senate to the emergency nature of the work for which this appropriation is made. It goes to the very vitals of our export trade in meats. It has to do with the suppression or control of contagious diseases and likewise the establishment and maintenance of quarantine districts.

It does seem that with that character of work the Secretary should be provided with ample means to take care of every contingency that could or would likely arise. Instead of being

confined to the mere profitable expenditures, it appears that good administration requires that a reasonable margin should be allowed for exigencies which are quite likely to arise in connection with any one of the three phases of animal industry with which this appropriation has to do.

Since no special reason has been or probably can be given for the reduction of the estimate, save simply a desire to curtail appropriations, I believe that the appropriations can be curtailed in almost any other part of the bill with less liability to cripple a necessary part of the service than can such reduction be made in this particular item.

For instance, the appropriation becomes exhausted with reference to the item of the inspection of meats for export. It can readily be perceived that the lack of funds for the proper administration of the law in that behalf would necessarily cripple our export trade. Again, in the case of contagious diseases an exigency is likely to arise at any time, and the condition of the Department, reduced to inefficiency because of the lack of funds, would be simply deplorable.

Finally, with reference to the establishment and maintenance of quarantine districts, it will be admitted without hesitation, I assume, that Congress would not for a moment think of economizing in the matter of preventing the spread of contagious disease amongst the domestic animals of the country. The loss which might be incurred by crippling the service in this particular respect is so great that it seems to me the item should be made at least to correspond with the estimate. The difference between the estimate and the amount stated here is but small. I think the estimate was \$1,677,200. The appropriation is for the sum of \$1,625,000. The difference is less than \$50,000. I think Congress would act wisely in allowing the Department the sum specified in the amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Kansas to the amendment of the committee will be stated.

The SECRETARY. Change the total, on page 12, line 12, from \$1,625,000 to \$1,677,200.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to page 14, line 11.

Mr. HALE. Mr. President, the Senate is apprised of all changes that are made by the committee, because they appear in italics; but the Senate is not apprised of the changes in the law and of the new features of the bill, because they appear in the same text with the rest of the bill. I call the attention of the Senator from Vermont to page 13, beginning at the middle of line 12, and ask him whether the provision I shall read is the present law:

And the employees of the Bureau of Animal Industry outside of the city of Washington may hereafter, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year.

Mr. PROCTOR. That is the present law.

Mr. HALE. How long has it been?

Mr. PROCTOR. I am not able to state, but I think for some time.

Mr. HALE. I was looking over the corresponding provision in last year's bill.

Mr. PROCTOR. I will say to the Senator that the following lines are new this year:

which leave may, in exceptional and meritorious cases where such an employee is ill, be extended, in the discretion of the Secretary of Agriculture, not to exceed fifteen days additional in any one year.

That was added in the House. No change was made by the committee of the Senate. It was stated that other Departments had a similar provision.

Mr. HALE. Does the Senator think that other Departments have provisions of this kind for clerical services outside of the city of Washington? If we are going to give leave, the pay continuing, to officials in the employment of the Government outside of Washington, every post-office employee will want his fifteen or thirty days. The practice of leave has grown up gradually, being at first only applied to certain Departments in Washington. Generally speaking, it is confined, except in special cases—I do not know how many there are—to employees here in Washington for special reasons. But if everybody outside of Washington is to have fifteen or thirty days' leave, it is a vast subject and is a depletion of the work of the Government to a very great extent.

I wish the Senator would show me in last year's bill this provision.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Montana?

Mr. HALE. I yield to the Senator.

Mr. CARTER. In line with the observations of the Senator

from Maine, I desire to call attention to the fact that leave of absence for fifteen days having been granted to letter carriers in cities, it follows that a demand becomes almost irresistible to extend like leave of absence, with pay, to all rural free-delivery letter carriers, about 40,000 in number. I think that one item alone will amount during the next year to something over \$1,000,000 of expense to the Government.

Mr. HALE. Well, Mr. President, that shows this feature is creeping; it is advancing, and that is one of the infirmities we are under as a legislative body. We have a favored class of officials in this country. There is no office created that there is not an importunate demand to fill it. For every office created, it is safe to say that there are dozens and scores of applicants desiring to get into the Government service. They desire to get into the Government service because they are better off than they are outside. They have regular employment; they have short hours; they are desirable places, and the moment they get in they become an organized and importunate and hungry band of mendicants, begging us for more favors.

We are beset by them constantly, and we forget all the people who have not been able to get into these offices. Committees take the cue from the importunities of the people in office and are continually granting them more and more pay. They organize, they taboo, they boycott Members and Senators who do not favor their propositions and their demands for increase, and we sit tamely and grant their requests.

There is no session of Congress that we are not importuned and our doors beaten upon by the employees here in Washington and elsewhere, demanding more pay, more privileges; and they are now organizing for a civil-service pension in some form or other, which, when inaugurated and adopted by some careless and indifferent Congress, will add tens of millions of dollars every year to our expenses.

I am rather hopeless of being able to stop or restrain or limit this. I have tried it before, and I have always been overruled. I have nothing to say against these employees personally. They are, I presume, almost all of them good and faithful servants of the public. But that does not justify them in this constant importunity upon us for more pay and more privileges. Whoever goes into one of these places at a known and fixed compensation and privileges should accept that; and the heads of Departments ought not to allow subordinates to push these matters before Congress. I think some heads of Departments have adopted rules which seek to prevent it.

I find on examination that last year this was crystallized as permanent law, and I can not make a point of order upon it; but I do make the point of order on the provision that is inserted by the committee which extends it.

Mr. PATTERSON. Mr. President, does not the Senator from Maine think that there is some justice in the principle of the old-age pension for employees of the Government, who, entering under civil-service rules as young men and young women, continue in the service of the Government until they are discharged by reason of old age, and who by reason of the smallness of the compensation are prevented from accumulating anything for the time when discharge comes?

Then, again, there is one other matter I should like the illuminating views of the Senator from Maine upon. It is a recognized fact that the cost of living is constantly on the increase. I have not any question but that the cost of living, taking the same standard, has increased not less than 33 per cent within the last ten years. Under those circumstances, can you blame those who give their service to the Government from seeking to have their pay keep pace with the cost of a livelihood? I think there is a good deal to be said upon the side of those in the employment of the Government under civil-service rules who seek to keep the wage that they receive upon an equality with the cost of living.

Mr. McCUMBER. Mr. President, I wish to ask the Senator a question.

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. PATTERSON. Certainly.

Mr. McCUMBER. I simply want to ask the Senator, if he sees some justice in the matter of pensioning Government employees, whether he has considered the question as to who is to pay those Government employees this extra amount of compensation? He knows something about life on a farm, I think, where men work from 5 o'clock in the morning until 10 at night. There every member of the family works, and they do not stop working when they are 62 years of age, nor when they are 70 years of age. Those are the people, who are putting in sixteen hours a day, who must pay the pension to the clerks who have had an easier time all their lives and have received

on an average four times as much a day, taking year in and year out, that their lives may be made a little more easy. Does the Senator see any injustice from that side of the proposition?

Mr. PATTERSON. Oh, Mr. President—

Mr. McCUMBER. I am so bitterly opposed to this matter of pensioning Government employees that I speak earnestly, but I hope to the point, to the Senator upon that proposition.

Mr. PATTERSON. Mr. President, there is a wide difference between a man who is confined in his activities under Government employment—

Mr. BERRY. Will the Senator permit me a minute?

Mr. PATTERSON. Certainly.

Mr. BERRY. After receiving the appointment under the civil service, these persons are not forced to remain in the position. I can not see any reason in the world why, if we give them a civil pension, we should not give a pension to the class mentioned by the Senator from North Dakota. The Government employees desire these places, and it is impossible for me to see how the Senator from Colorado can make a distinction between that class and citizens.

Mr. PATTERSON. Well, then, Mr. President, we had better abolish the system of pensions altogether.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. PATTERSON. Yes.

Mr. SPOONER. The Senator mentioned as entering into the merits of this question, of course, twice or thrice the fact that these men entered the employment of the Government through the civil service. What relation, in the apprehension of the Senator, does that have, if any, to the merits of a civil-service pension?

Mr. PATTERSON. There are so many questions propounded that I may not be able to answer all of them, but I will answer the question of the Senator from Wisconsin first.

Under the old order a Government employee served at the longest four years. He simply took a recess, as it were, during the term of an administration from his usual and ordinary vocation of life, and he was not long enough in the Government service to be utterly spoiled for almost any other kind of employment. I think that is a good answer.

Mr. SPOONER. Is that an argument for or against the civil-service system?

Mr. PATTERSON. It may not satisfy the Senator from Wisconsin, but it seems to me that it meets the case.

Mr. SPOONER. I repeat, is it an argument for or against the civil-service system?

Mr. PATTERSON. Well, I will stand by the civil service. I believe in the civil service. I believe it is a good thing for the Government. I believe it is the worst for those who enter the service of the Government, unless there is some provision made eventually by which, when they are totally disqualified for labor by reason of old age, they should not be turned adrift as paupers upon the world. I rather admired the righteous indignation of the Senator from North Dakota [Mr. McCUMBER] in the intensity of his feelings as gathered from the earnestness of his manner and language; but the Senator from North Dakota ought to put his ax at the root of the evil. We are not going to have pensioned classes. Then we had better uproot so much of the pension tree as we have, and put everybody upon an equality. The men who receive the largest amount of pay, the men who by frugality might, by reason of the amount of their pay, save enough to keep them out of the poorhouse at the end of their term, are the very men who are pensioned. Commencing with the Supreme Court, the judges of the United States district and circuit courts, naval officers, military officers of all degrees—employees of the Government who receive the very largest salaries that the Government pays—are the men who, when their term of service has expired and when the time comes for retirement, are kept in a condition of elegant leisure until they pass away.

Mr. SPOONER. Does not the Senator recognize the distinction between the class of men who are under contract with the Government all their lives in the Army and the Navy to go to battle and risk their lives for the country—the soldiers and sailors—and the people who serve in the Departments, who are far away from danger and hardship and exposure?

Mr. PATTERSON. Mr. President, I do not think that a man is under contract to stay in either the military or naval service all his life. I understand he may get out of it just whenever he pleases, and men are constantly getting out of it. They live a life of leisure and elegance, and they receive deference. They may be regarded as a kind of exclusive class; but there is in reality no substantial difference between those who are employed by the Government in any capacity and the poorest

and the meanest who enter the employ of the Government and are expected to continue in the employment of the Government under civil-service rules.

Deprecate it as much as we may, Mr. President, the man who enters the Government service, as a rule, enters it as a life service. The allurements of the opportunities that are offered to the average man, the man with the average industry and enterprise, are not sufficient to withdraw him from a certainty of a livelihood that the Government offers. So I say that when either a man or a woman has been in the employment of the Government service five or six years, he or she has practically mortgaged his or her life to the Government; and the clerks who receive this very, very moderate compensation, living here at the capital, with hardly enough to pay rent for a couple of rooms, and especially if they happen to have families, are required to eke out a very scant subsistence. There is no future for them. After they have been in the employment of the Government for a few years they must continue there, and the longer they stay the more their capacity to make a living elsewhere is lessened. So they continue until, under the rule or the law, they must be retired, and then they become either a charge upon their friends, if they have friends, or, if they do not happen to have friends, so far as their ability to maintain themselves is concerned, they have simply got to crawl off to some garret and die.

Then there is a very considerable difference between a man in the Government employment and a man who is not in the Government employment. The latter has the world before him, and opportunities are constantly being offered to him, though of course but few are able to take advantage of them, for the betterment of his condition and the accumulation of a little or a great competency and the lessening of the hours of labor that the Senator from North Dakota deprecates should be imposed upon his constituents.

But, Mr. President, I only want to suggest that there is a very, very strong spice of justice with the men who claim that, where a man or a woman is expected to serve for a life in the employment of the Government at a small wage, when they are retired for want of capacity they shall be provided for in some modest way, and that men in the employment of the Government who seek by proper solicitation to have the compensation which they receive from the Government keep pace with the cost of living are not to be so severely condemned.

The VICE-PRESIDENT. The Chair did not understand the point of order made by the Senator from Maine.

Mr. HALE. Mr. President, I find on examining the bill that the provision to which I objected is not an amendment proposed by the Senate committee, in which case it would be subject to a point of order, but it is in the text of the bill as it came from the House of Representatives, and therefore is not subject to the point of order.

Mr. TELLER. Mr. President, I was out of the Chamber when the bill was taken up, and I wish to inquire if we are simply considering the amendments of the committee as they are reached in the reading of the bill?

The VICE-PRESIDENT. The bill is being read for amendment.

Mr. TELLER. Is it in order to move an amendment to the text of the bill? It would be unless there were some agreement to the contrary.

The VICE-PRESIDENT. The Chair understands that the Senator from Vermont [Mr. PROCTOR] asked that the bill be first read for the consideration of committee amendments.

Mr. PROCTOR. That it should be read for committee amendments; and I should be glad if the Senator would withhold his amendment until the committee amendments are completed.

Mr. TELLER. If that is the rule, I will, of course, withhold the amendment.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 15, line 5, after the word "lines," to insert the following proviso:

Provided, That the Secretary of Agriculture is authorized to purchase in the open market samples of all tuberculin serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to publish the results of said tests in such manner as he may deem best.

Mr. HALE. Mr. President, I do not like to fill the rôle of being the only critic of this bill, but this provision is so embracing that I should like the Senator in charge of the bill to state to the Senate whether the committee fully understood its range, and what is the occasion for it. Now, let me read the pending amendment:

Provided, That the Secretary of Agriculture is authorized to purchase in the open market samples of all tuberculin serums, antitoxins,

or analogous products, of foreign or domestic manufacture, which are sold in the United States for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to publish the results of said tests in such manner as he may deem best.

I do not know but that the Secretary of Agriculture, if you give him force enough, can do this; but it is not a light job. In my own small town where I live the apothecary shops are filled with medicines of different kinds for the troubles of horses, cattle, and sheep. When I go into my stable where I keep my horses, I find scores of these medicines, and every now and then I am asked to put up another shelf to accommodate more of them. Now, this amendment says that the Secretary of Agriculture shall buy "in the open market samples of all" these medicines. While, of course, there are not as many kinds of them as there are words in the dictionary, they are almost as numerous as the rocks in the fields and the trees in the forests. There is no end to the nostrums and medicines that are used for the relief, care, and cure of domestic animals. I do not know whether it is the purpose of the bill to start the Secretary out in testing all of these. If it is, I say to the Senator from Vermont, you must endow him with the funds to do this. It is not a little side issue, or what is called a "by-product of the work of the Agricultural Department," but it is a pretty large contract.

As I have said, I dislike to play the rôle of critic on this bill, because I think the committee has got a good bill, the best bill I have known to be brought from the Committee on Agriculture before the Senate. What I mean by that is that I think they have been more careful to keep from putting in new things, changes in the law; but when I read this provision I must say I was rather amazed at the extent to which this governmental supervision of everything under the sun that men, women, and children do and enjoy and wear is taken hold of by the Government, and rules as to it fixed. I should like to see it stopped somewhere. It evidently is not stopped in this bill, and I do not know that we can stop it.

Mr. PROCTOR. Mr. President, I hardly think this is so large an animal as the Senator from Maine [Mr. HALE] apprehends. This amendment does not require the purchase; it only authorizes the Secretary to purchase; and the purchase, of course, is only for a very small sample, just enough to analyze. A great deal of good has been done by the authority given to the Department to make analyses of fertilizers, and especially of these cures. Many have been put on the market that were of no value. Tests were made not very long ago, as the Secretary said when he was before the committee, of tuberculin that had been used for several years in one of the finest herds of Jerseys in the country; but by a test it was found to be good for nothing whatever.

In regard to the Ellsworth drug store, if the druggist sells cattle medicines, when he sees in the publication from the Department of Agriculture that they have been tested and found not to be good, he will be sure to get good ones and keep them. That is just what this provision proposes to do. It enlightens—

Mr. HALE rose.

Mr. PROCTOR. Let me finish my sentence. The authority to publish enlightens the country, settles the matter, and ends any further expense.

Mr. HALE. That, of course, was the argument about paternalism. The old-fashion way was, if I bought medicine, or my men who have charge of my horses bought medicine, and it did not work well, we did not buy it again. They found out themselves, and the country has got along pretty fairly in that way. There have been a good many horses and cattle and sheep raised and grown, killed and marketed, and the Government has not taken charge of all the medicines that were administered.

Of course the reply the Senator makes is the patent reply that the Government should take hold of these things and must do all of these things. I do not know where it will stop. Pretty soon, I suppose, my family doctor will not be allowed to prescribe any medicine in the family until the Government has inspected him and has placed its mark of approbation upon him and the whole operation.

I have no doubt I am making a useless and ineffectual talk, but the whole drift is in one direction. We do not stand up against any of these things. More and more we are drifting into that never-ending tide which establishes at last paternalism. We assume the duties, the burdens, and the responsibilities that individuals ought to assume; we break down every barrier that has heretofore existed of the jurisdiction of the States, and the right and province of the State to regulate things is a shifting, receding shore, constantly encroached upon and constantly swallowed up by this oncoming tide for paternalism and national

interference. Senators ought to appreciate that; but I can not stop it.

Mr. McCUMBER. I want to ask the Senator if he would seriously think that we ought to stop it in all cases? This amendment provides for the purchase for analysis of tuberculin serums, antitoxins, or analogous products. We have great herds of cattle upon our western plains; we have enormous herds of sheep which constitute the wealth of that country. Some manufacturer down in our Eastern States, for instance—because those are manufacturing States—gets out something which he calls "tuberculin." It is advertised in all the great papers, in all the magazines, and instances are cited of wonderful cures which can be produced by that medicine. A man may own sheep. They may be infected with sheep rot, hoof rot, or the scab. He sends for these antitoxins; he uses them, and by the time all of his sheep or his cattle have died he ascertains that there is no value in the medicine. Would it not have been a good thing if some one in whom the country has confidence could have established that fact, and given him warning that, notwithstanding the great headlines with which it is advertised in all the papers, it was simply a serum that had no effect whatever? We have gone so far in the advertising of these nostrums, and there are so many people who are willing to state that they produce some good, when, in fact, there are no medicinal qualities in them, that there ought to be some method, whether it is paternalistic or otherwise, that will protect the public against frauds of that kind.

Mr. HALE. My answer to that is simply that I do not think this Government is organized for that purpose. I do not think it is within the proper range of Federal power. It is an evil. Human life is beset with evils and pretenses and frauds and false advertising. The view the framers of this Government had was that the less the Federal power interfered in such cases the better it would be; and it would make the fathers, could the dead speak, rise in their graves in protest against the things we are doing, which, in the older days, it was never contemplated should be done.

I suppose this is not the favorite doctrine. I do not know that ever there will a reflux wave of conservatism take possession of the public mind and bring us back to the old bearings. It may be that we shall go on; but there is but one result, and that is the arrogation and assumption of every power by the Federal Government. The State authority and the State jurisdiction are ruthlessly obliterated; the responsibility of the people to take notice themselves, without aid from the Government, and the old legal doctrine or maxim of caveat emptor are being made things of the past. It is only incidental that it comes up on this very remarkable proposition; and the only answer to it is the answer given by the Senator from North Dakota [Mr. McCUMBER], that poison is advertised by somebody and bought by somebody, melancholy results happen from it, and, therefore, the Government should take it in charge. To my view that is not an answer. It only shows how wide and deep is this disease that is now possessing us of looking to the Government for everything.

Mr. McCUMBER. Mr. President, I think the Senator's argument will not bear close inspection. This country is not in the condition that it was one hundred years ago. New conditions have arisen, and those new conditions, which could not have been contemplated by our fathers, need new laws for their regulation.

I want to call the Senator's attention to the fact that we created the Department of Agriculture because there was a demand for it. The agricultural business of the country had grown to that extent that we needed an Agricultural Department. I know of no use of any Department unless it is to facilitate the growth and development of the business over which it has general control, which, in the case of the Department of Agriculture, is the business of agriculture and stock raising. One of the principal features of agriculture is stock raising. Therefore, if we need that Department at all, we need some one—it does not make any difference whether it is in the Agricultural Department or otherwise—who can determine what are proper remedies for the protection and cure of stock.

If the Senator could suggest any other source from which we could get the information that would be better than the Agricultural Department, then there might be some reason for changing the bill; but it seems to me that that is the Department where the authority ought to be lodged, and that is the place where we ought to look for information; and we ought to give them the power to give us correct and proper information for our own protection.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. HALE. Let the amendment be read.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The SECRETARY. On page 15, line 5, after the word "lines," it is proposed to insert:

Provided, That the Secretary of Agriculture is authorized to purchase in the open market samples of all tuberculin serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to publish the results of said tests in such manner as he may deem best.

Mr. HALE. I make the point of order against that amendment.

The VICE-PRESIDENT. The Chair overrules the point of order.

Mr. HALE. I did not understand the ruling of the Chair.

The VICE-PRESIDENT. The Chair overrules the point of order.

Mr. HALE. I make the point that it is clearly legislation. There is no rule authorizing the Secretary of Agriculture to do this now; otherwise the amendment would not be in the bill. It is clearly legislation.

The VICE-PRESIDENT. Will the Senator from Maine state his point of order?

Mr. HALE. The point of order I make is clear. Here is a provision giving a power to the Secretary to purchase certain articles for certain purposes and to go on and make tests. If he can do it now, there would be no amendment here; but he clearly can not do it now. It is legislation. But I have said all I want to say in protest of this kind of legislation, and I withdraw the point of order.

The VICE-PRESIDENT. The point of order is withdrawn. The question is on agreeing to the amendment reported by the Committee on Agriculture and Forestry.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 15, line 16, to increase the total appropriation for the maintenance of the Bureau of Animal Industry from \$1,682,980 to \$1,734,780.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Plant Industry," on page 16, line 7, before the word "clerks," to strike out "fourteen" and insert "sixteen;" in line 8, before the word "thousand," to strike out "fourteen" and insert "sixteen;" in line 17, after the word "clerk," to insert "or messenger;" in line 20, before the word "clerk," to strike out "and" and insert "or;" in line 21, before the word "dollars," to strike out "seven hundred and twenty" and insert "nine hundred;" in line 22, before the word "dollars," to strike out "nine hundred" and insert "one thousand;" and in line 23, after the word "gardeners," to insert "or assistants;" so as to read:

Salaries, Bureau of Plant Industry: One plant physiologist and pathologist, who shall be chief of bureau, \$4,500; one chief clerk, \$2,000; one editor, \$2,000; one superintendent of gardens and grounds, \$1,800; four clerks, class 4, \$7,200; seven clerks, class 3, \$11,200; twelve clerks, class 2, \$16,800; twenty-seven clerks, class 1, \$32,400; one seed clerk and superintendent, \$1,200; one clerk or artist, \$1,200; one artist, \$840; sixteen clerks, at \$1,000 each, \$16,000; six clerks, at \$900 each, \$5,400; eight clerks, at \$840 each, \$6,720; one clerk, \$800; eleven clerks, at \$720 each, \$7,920; three clerks, at \$660 each, \$1,980; two clerks, at \$600 each, \$1,200; one clerk or messenger, \$480; one photographer or clerk, \$900; one assistant photographer, \$600; one illustrator or clerk, \$900; one carpenter, \$1,000; one carpenter, \$840; two gardeners or assistants, at \$1,000 each, \$2,000, etc.

The amendment was agreed to.

The next amendment was, on page 17, line 10, before the word "dollars," to strike out "eight hundred and forty" and insert "nine hundred;" in line 11, before the word "dollars," to strike out "six hundred and eighty" and insert "eight hundred;" on page 18, line 1, before the word "skilled," to strike out "two" and insert "five;" line 3, before the word "dollars," to strike out "nine hundred and sixty" and insert "two thousand four hundred;" in line 4, before the word "messenger," to strike out "four" and insert "two;" and in line 6, before the word "dollars," strike out "one thousand four hundred and forty" and insert "seven hundred and twenty;" and in line 7 to strike out "sixty thousand one hundred and sixty" and insert "sixty-three thousand two hundred and eighty;" so as to read:

Two plumbers, at \$900 each, \$1,800; three firemen, at \$720 each, \$2,160; two clerks or messengers, at \$840 each, \$1,680; three skilled laborers, at \$720 each, \$2,160; three skilled laborers, at \$660 each, \$1,980; six skilled laborers, at \$600 each, \$3,600; one messenger, \$660; three messengers, at \$600 each, \$1,800; three watchmen, at \$720 each, \$2,160; two watchmen, at \$600 each, \$1,200; five skilled laborers or messengers, at \$480 each, \$2,400; two messenger boys, at \$360 each, \$720; one messenger boy, \$300; in all, \$163,280.

The amendment was agreed to.

The next amendment was, on page 18, line 16, after the word

"production," to strike out "and the origination and improvement of" and insert "to originate and improve;" so as to read:

General expenses, Bureau of Plant Industry: To investigate fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries, in cooperation with other branches of the Department, the State experiment stations, and practical farmers; to study plant and orchard diseases and demonstrate the treatment of same; to study plant physiology in relation to crop production; to originate and improve crops by breeding and selection, etc.

Mr. HALE. On the theory upon which this legislation proceeds, this is even better than invading the province of the individual or of the State. It is invading the domain of nature, of Providence, for it provides for the originating as well as the improvement of crops. Some very bright man suggested that who, in looking over the bill, thought to incorporate some provision that would still further extend the Federal power, and having whipped out the States and the individuals, it now takes the province of nature and originates crops.

I congratulate the Senator from Vermont that he has gotten nearer to the line of absolute, overwhelming, unmistakable control of all things by the Federal Government than anybody has ever got before.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Committee on Agriculture and Forestry.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 19, line 3, after the word "preventing," to strike out "algæ" and insert "algal;" so as to read:

To cultivate and distribute these nitrogen fixers; to study and find methods for preventing algal and other contaminations of water supplies, etc.

The amendment was agreed to.

The next amendment was, on page 21, line 14, before the word "thousand," to strike out "sixty-five" and insert "ninety;" so as to read:

For actual and necessary traveling expenses; for telegraph and telephone service; * * * and for all other necessary expenses, \$490,260.

The amendment was agreed to.

The next amendment was, on page 21, in line 15, after the word "dollars," to strike out the following proviso:

Provided, That the Secretary of Agriculture is authorized and directed to expend \$5,000 of the amount hereby appropriated to especially investigate parasites and orchard diseases prevalent in the Ozark Mountain region of the State of Missouri, and to work out, if possible, in cooperation with the fruit experiment station at Mountain Grove, the problem of prevention of such diseases and destruction of parasites, and diffuse information along these lines.

Mr. BERRY. The proposition of the committee is to strike out the proviso. There is objection to that. I wish to know if it would be in order to offer an amendment to it before the motion to strike out is put? I think under the rules we can perfect a paragraph before a motion is made to strike out.

The VICE-PRESIDENT. Certainly.

Mr. BERRY. Then I desire to move, in line 19, to strike out the word "State" and insert "States;" and after the word "Missouri" to add "and Arkansas;" so that it will read:

In the Ozark Mountain region of the States of Missouri and Arkansas.

Mr. PROCTOR. I hope the Senator from Arkansas will not ask for that amendment. This matter came up before the committee, and Doctor Galloway, the head of the Bureau, said there was no occasion to name any special point. If the appropriation—

Mr. BERRY. I want to amend it before the motion to strike out is put. I desire to put in the word "Arkansas," and then the provision will apply both to Missouri and Arkansas. If Missouri is to remain in there, I want Arkansas put in.

Mr. PROCTOR. There is no objection to that.

The VICE-PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. On line 19, page 21, it is proposed to strike out the word "State" and insert "States;" and, after the word "Missouri," to insert "and Arkansas."

The VICE-PRESIDENT. Without objection, agreed to.

Mr. SPOONER. I am at a loss to understand why the Committee on Agriculture should recommend the striking out of this provision.

Mr. PROCTOR. The reason is that the work is going on now, and if the proviso is kept in it should apply not only to Missouri and Arkansas, but to Idaho and California and Colorado and numerous other States. There is no occasion to specify any State. Doctor Galloway has general authority to do the work,

and he stated in his evidence before the committee, in reply to a question from the Senator from Wyoming [Mr. WARREN]:

How about that proviso on page 20?

We do not need that in here. It was put in by a Member on the floor of the House to have some work done down in southern Missouri. We are doing that work anyway now.

He further stated that his authority was sufficient to do it in any part of the country. There is no occasion to specify any particular section.

Mr. SPOONER. I suppose the reason why it is stricken out is that it is a little restrictive on the general power conferred somewhere else in the bill.

Mr. PROCTOR. I do not see that it is restrictive—

Mr. SPOONER. Oh, yes.

Mr. PROCTOR. Because it does not limit it to that place.

Mr. SPOONER. Yes; it does.

Mr. PROCTOR. The power is general to do the work elsewhere.

Mr. SPOONER. No. It says:

Provided, That the Secretary of Agriculture is authorized and directed to expend \$5,000 of the amount hereby appropriated to especially investigate parasites and orchard diseases prevalent in the Ozark Mountain region of the State of Missouri.

That is restrictive; therefore I suppose it is unsatisfactory and incompatible with the ambition and genius of the Department.

Mr. PROCTOR. The Secretary has full authority to do this work anywhere. He has had it for years. It is not anything new.

Mr. SPOONER. It seems to have been thought by the House that there was special necessity for requiring some peculiar attention to be given to the Ozark Mountains in Missouri. It is a discrimination.

Mr. BERRY. Will the Senator from Vermont permit me?

Mr. SPOONER. I have the floor.

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. SPOONER. Certainly.

Mr. BERRY. The Senator from Missouri [Mr. STONE] desires to make some remarks on this matter, but I think he will agree with what I have to say.

I desire to say that that particular section of the country—the Ozark Mountains, in the southern part of Missouri and the northern part of Arkansas—is, in my judgment, the finest fruit country in the United States. The county in which I live—Benton—has more apple trees, according to the report of the Superintendent of the Census, than any other county in the United States, and Missouri produces more apples than any other State in the Union, according to that census.

It is said—I do not know whether it is true or not—that in the Ozark region, because of the climate or something else, there is a peculiar kind of disease that sometimes comes to the trees, and needs special investigation with a view to discovering something to remedy the evil that comes to and injures the apple, due to a parasite, as my friend the Senator from Missouri suggests. I think that was the idea of the House in putting it in for the State of Missouri. But there was no reason whatever why Missouri should be included without including Arkansas also, it having the same character of land and the same fruit and immediately running along the northern border of my State. Both of the Senators from Missouri are familiar with the situation.

A great source of revenue in all that section comes from our fruits, and especially from the apple. On the Missouri side there are very magnificent peach orchards. All the northern part of my State—southwest Missouri, northwest Arkansas—constitutes the finest apple region in the United States, in my judgment, and it has so been reported by the Census Bureau.

The Senator from Missouri makes a suggestion to me. In order to give an illustration as to its importance I will say that some three or four years ago—I forget the year—in the county in which I live the fruits and the apples shipped out of the county over the railroads, saying nothing of those which were conveyed away in wagons, came to the value of one million two hundred and fifty-odd thousand dollars for one year. It shows something of the importance of fruit raising in that section of Arkansas and Missouri.

Mr. HANSBROUGH. Mr. President, I am under the impression that Doctor Galloway, who was before the committee, made a statement relative to this matter in which he said that this parasite, this disease, prevails in that particular part of Missouri, in the Ozark Mountains, and nowhere else, and for that reason he hoped, if the Senate agreed to put this provision back, that the language as passed by the House would remain as it is.

Mr. STONE. Mr. President, I wish to say a word. The amendment proposed by the Senator from Arkansas was agreed to, as I understand.

The VICE-PRESIDENT. It was.

Mr. STONE. And that being so, the provision needs some other changes. In line 20 the word "station" should be changed to "stations"—be put in the plural—and the words "at Mountain Grove," in line 21, should be stricken out, and, instead, the words "of said States" inserted.

The VICE-PRESIDENT. Without objection, the amendment is agreed to.

Mr. PROCTOR. Mr. President, I have no objection to these amendments, but I think the whole amendment now ought to be agreed to, striking out the entire clause. On page 18 there is full authority given to the Secretary "to study plant and orchard diseases and demonstrate the treatment of same." The testimony before the committee was that that work was actually going on now, and that this proviso is not necessary; that the work would be carried on not only in Missouri and Arkansas, but in various other States. It is not advisable, it is not good form of legislation, as I think the Senator from Maine [Mr. HALE] will state, to have all these special provisions for local work here and there when it is all embraced in the general provision.

Mr. HALE. I think if any Senator has found something that is not in this bill, he ought to state it.

Mr. STONE. Do I understand the Senator from Vermont to say that the testimony on the hearing was that this particular work of investigation in the Ozark region is in progress?

Mr. PROCTOR. It is going on now. Those are his words, as the Senator will see by looking at the report of the hearings—

Mr. STONE. Is it being carried on under the auspices of the Department at the present time?

Mr. PROCTOR. Under the auspices of the Department of Agriculture, the Bureau of Plant Industry. The Secretary has plenty of money to carry it on, and proposes to carry it on. His statement was broad and full on that point. If it had not been, I should certainly have favored putting this amendment in; but as it is entirely unnecessary, and if retained should be extended to other States, and then quite likely all might not be included which ought to be included, I hope the proviso will be stricken out. Idaho is one that was mentioned, I know. It is a trouble that may appear in any State in the Union. The authority should be broad if given at all, and it is given broadly.

Mr. STONE. I was informed this morning by one of the Representatives in the House from Missouri, whose district lies in the Ozark Mountain region, that this provision, now sought to be stricken out, was inserted in the bill on his motion or at his instance when the bill was in the House. He called my attention to the fact that there was this general provision in the bill which the Senator from Vermont has pointed out, but he told me that the people there had not been able to get the Department of Agriculture to make any investigation in that section, and that notwithstanding the efforts they have made, and the struggles they have made to have it done, they could not even kidnap one of the officials to go down there to examine into the causes that do injuries to the orchards.

Mr. PROCTOR. I can assure the Senator personally and in the strongest terms that the work is going on and will be carried on satisfactorily to him and to his constituents. Doctor Galloway said:

We are doing that work anyway now.

He amplified that statement considerably, but that is what is printed. I erased the rest in editing the report, to save space in printing.

Mr. STONE. I suppose the Senator understands that this is really a matter of very great importance to southern Missouri and northern Arkansas.

Mr. PROCTOR. It is to other sections as well.

Mr. STONE. I presume that is true, but I am informed through various sources—the Senator from Arkansas told me—that there is some peculiar parasite that stings the fruit in that country which is unknown to other fruit-growing sections. For that reason I understand it is desired to have this work certainly carried on in one of the greatest fruit-growing sections of the country. There is not a greater fruit-producing region anywhere than in the Ozark Mountains.

I wish to call the Senator's attention to a provision in this bill that is a little inconsistent with the contention he is now making. On page 14, which is a part of the provision making an appropriation for investigating the diseases of animals, meats, etc., there is, at the close of that long provision, this clause:

That the Secretary of Agriculture is authorized to expend \$5,000 of the amount hereby appropriated, to especially investigate hemorrhagic

septicemia, infectious cerebro-spinal meningitis, and malignant catarrh, prevalent among domestic animals in the State of Minnesota.

Under the general provision on that question, the preceding part, that investigation could be made in the State of Minnesota, you set apart \$5,000 for special investigation of particular animal diseases in that State. The fruit industry is just as important to northern Arkansas and southern Missouri, covering as large an area of country, as the animal industry is to the State of Minnesota; and why should the Senate—for whose judgment and fairness I have the greatest respect—allow an exception of that kind in one case and deny it in the other?

Mr. PROCTOR. The Senator will notice there is a difference in the two provisions. In the one referred to, in regard to Minnesota and adjoining States, the Secretary is simply authorized to expend \$5,000. In this provision he is authorized and directed to expend.

Mr. STONE. Would the Senator consent to making it "authorized;" to strike out "and directed?"

Mr. PROCTOR. If the general language is sufficient to cover the case in Minnesota that the Senator has referred to, I should certainly be in favor of striking out that proviso as well, as a useless provision. This other proviso was especially brought to our attention in the hearings, and that is the reason for striking it out. I have not had opportunity to investigate regarding Minnesota. Certainly I should favor striking out the words "and directed."

Mr. BERRY. Let them go out.

Mr. STONE. I have no objection to those words going out. Let it go in that form.

Mr. PROCTOR. I will not object to that at this time. I will reserve the privilege of bringing it up later when the bill is in the Senate, if necessary.

Mr. WARNER. Do I understand that the words "and directed" are to be stricken out?

Mr. PROCTOR. The words "and directed" are to be stricken out.

Mr. WARNER. And the others remain as they are in the bill?

Mr. PROCTOR. Yes.

The VICE-PRESIDENT. The Secretary will state the amendment.

The SECRETARY. In line 16 it is proposed to strike out the words "and directed."

The amendment to the amendment was agreed to.

Mr. STONE. Do I understand that the committee amendment is disagreed to?

The VICE-PRESIDENT. The amendment of the committee is to strike out the paragraph.

Mr. WARNER. To strike out the words as amended.

Mr. BERRY. The whole section is not stricken out. The words "and directed" were stricken out, and now the question is on agreeing to the amendment of the committee to strike out the entire clause.

The VICE-PRESIDENT. Pardon me. I understood the chairman of the committee to consent to these words remaining in.

Mr. BERRY. He did consent. The Senator from Vermont said he had no objection to the section remaining.

The VICE-PRESIDENT. To the section remaining?

Mr. BERRY. Yes.

The VICE-PRESIDENT. Without objection, the amendment of the committee to strike out the paragraph is disagreed to.

Mr. HALE. I ask the consent of the Senate, with the permission of the Senator from Vermont, as I am called from the Chamber, to offer an amendment at a later part of the bill.

The VICE-PRESIDENT. Without objection, the Secretary will state the amendment proposed by the Senator from Maine.

Mr. HALE. If the Senator will turn to page 59 of the bill, which has reference to appointments—

Mr. TELLER. Line 22?

Mr. HALE. Line 22. Last year, as some Senators will remember, after considerable debate upon the question of transfers of clerks who had been, some of them, for years in the Departments, from one Department to another, Congress put this into the law:

All classified laborers whose positions are transferred from the lump funds to the statutory rolls are hereby placed in the classified service without further examination in the grades and at the rates of compensation herein provided.

That was put in by the Senate at the end of quite a long debate; upon the very proper theory that these persons who had been there so long were presumed to be fully as competent as any examination could disclose. So we provided that they should be placed in the classified service.

I have been told that notwithstanding that it is claimed that

although we put them upon the classified rolls they are not to be promoted without further examination. That was not the intention of Congress, of course, and I offer this amendment to cure that condition.

The VICE-PRESIDENT. The Senator from Maine proposes an amendment, which will be read by the Secretary.

The SECRETARY. On page 59, line 22, after the word "therefor," insert the following additional proviso:

Provided further, That all classified laborers whose positions were transferred from the lump funds to the statutory rolls by the act making appropriations for the Department of Agriculture approved March 3, 1905, and who were by the last clause of that act—

Which I have just read—

placed in the classified service without further examination in the grades and at the rates of compensation provided in said act, are hereby made eligible—

Like any other clerks—

for promotion without further examination.

The VICE-PRESIDENT. The amendment will be read.

The Secretary read the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine, which has just been read.

Mr. PROCTOR. I have nothing to say in regard to the amendment except to state the situation briefly. The Senator has stated it correctly, that there was full discussion, and he has given the purport of it. I know I had no doubt myself, and I think there was none in the Senate but that the action last year put those persons into the civil service with all the rights that others had to promotion. But the civil service authorities held otherwise. I saw the Commissioners and told them how I felt sure it was understood by the Senate, but it did not avail, and examinations have been conducted. Some have succeeded in passing the examination and some have tried. I know some have tried three times. I know of one case quite recently where the person succeeded on the third trial. Some have failed so far.

The amendment was agreed to.

The VICE-PRESIDENT. The Secretary will proceed with the reading of the bill.

The Secretary resumed the reading of the bill.

The next amendment of the Committee on Agriculture and Forestry was, on page 21, after line 23, to insert:

To enable the Secretary of Agriculture to establish, at such points of export as he may deem expedient, laboratories for the purpose of examining and reporting upon the nature, quality, and condition of any sample, parcel, or consignment of seed or grain, \$15,000, or so much thereof as may be necessary; and the Secretary of Agriculture is authorized to report upon such samples, parcels, or consignments from time to time, and the reports so made shall serve as a basis for the fixing of definite grades, to be determined by the Secretary of Agriculture as the evidence at hand may warrant.

Mr. McCUMBER. Mr. President, I wish to offer an amendment to this amendment.

The VICE-PRESIDENT. The Secretary will read the amendment proposed by the Senator from North Dakota to the amendment of the committee.

The SECRETARY. Add after the word "warrant," in line 9, page 22, the following:

The officer or employee obtaining such sample or parcel for examination shall ascertain the necessary facts and make and sign a certificate, showing that the same is made under the direction of the Department of Agriculture, certifying the date and fact of such inspection, the approximate number of bushels in each consignment, the vessel in which the same is exported, the consignor or shipper, the consignee or purchaser, the provision of law under which such certificate is made, the kind, quality, and also grade of such grain or seed, its condition at the time of shipment as ascertained by such examination, and any other facts which may be proper to clearly indicate its character. Such certificate shall be issued in duplicate, one to be mailed to the shipper or consignor, the other to the purchaser or consignee.

Mr. McCUMBER. Mr. President, the amendment made by the committee is certainly in the right direction. I can not say that it is a step in the right direction, because it can hardly be said to be a step, but it is placing Congressional action in the right direction, and to meet one of the greatest frauds to the agricultural people of the United States that is in existence to-day.

The amendment which I have proposed seeks to make the amendment of the committee effective. I desire to address the Senate upon the amendment at some length because of its great importance. It is nearly 5 o'clock now. In all probability the bill can not be completed this evening, and I ask the Senator in charge of the bill if he will not let it go over until to-morrow, or at least pass this amendment over until to-morrow, when I wish to address the Senate upon the amendment and matters relating to it.

Mr. FORAKER. Mr. President—

Mr. PERKINS. In the absence of the chairman of the com-

mittee, I will say on behalf of the committee that it may go over until to-morrow.

Mr. PROCTOR entered the Chamber.

Mr. KEAN. The chairman of the committee is here.

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. FORAKER. I was about to join in the request of the Senator from North Dakota, because I want to ask the consideration of a bill to which there will be no objection, I think.

Mr. PROCTOR rose.

Mr. McCUMBER. I have submitted an amendment to the amendment which was just read, and I ask the Senator if he will not pass it over until I can discuss it to-morrow.

Mr. PROCTOR. Certainly; if the Senator wishes to speak on it, let it be passed over.

The VICE-PRESIDENT. Without objection, the amendment will be passed over.

Mr. PROCTOR. And we will go on with the bill.

Mr. FORAKER. I understood the request of the Senator from North Dakota to be that the Senator should consent that the bill be laid by until to-morrow.

Mr. PROCTOR. Only the amendment?

Mr. McCUMBER. Only the amendment.

Mr. FORAKER. Then I make that request. It would not inconvenience the Senator inasmuch as the bill must go over anyhow.

Mr. PROCTOR. Let us go on with the bill for half an hour.

Mr. FORAKER. It is now ten minutes to 5.

Mr. PROCTOR. Let us go on with the bill until a quarter past 5.

Mr. FORAKER. Well; or until 5 o'clock.

The reading of the bill was continued.

The next amendment of the Committee on Agriculture and Forestry was, on page 22, after line 9, to insert:

For improving and macadamizing the present gravel roads on the Department grounds, under the direction of the Director of the Office of Public Roads, \$3,500, and the same shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 22, line 24, before the word "thousand," to strike out "forty-two" and insert "forty-seven;" so as to read:

Purchase and distribution of seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for rent and repairs; the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, printing, postal cards, gas and electric current, traveling expenses, and all necessary material and repairs for putting up and distributing the same, and to be distributed in localities adapted to their culture, \$247,920, etc.

The amendment was agreed to.

The next amendment was, on page 23, line 19, after the word "franks," to insert "in packages of such weight as the Secretary of Agriculture may determine and as may be satisfactory to the Postmaster-General;" so as to read:

An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants shall, upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the Department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture may determine and as may be satisfactory to the Postmaster-General; and the person receiving such seeds shall be requested to inform the Department of the results of the experiments therewith.

Mr. PATTERSON. Will the chairman of the committee state whether this is in lieu of the usual annual appropriation for the purchase and distribution of seeds?

Mr. LODGE. It is exactly the same.

Mr. PROCTOR. The usual provision is retained. There is no change.

Mr. PATTERSON. And the usual amount?

Mr. PROCTOR. The usual amount is appropriated.

Mr. MCCREARY. May I ask the Senator from Vermont a question? Is the appropriation in the bill the same as was made heretofore?

Mr. PROCTOR. For the distribution of seeds?

Mr. MCCREARY. Yes.

Mr. PROCTOR. It is the same precisely.

Mr. MCCREARY. And the same amount?

Mr. PROCTOR. The same amount exactly as it was carried in the House.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, on page 25, line 2, before the word "thousand," to strike out "thirty-seven" and insert "forty-two;" so as to make the additional proviso read:

Provided further, That \$42,780 of which sum, or so much thereof as the Secretary of Agriculture shall direct, may be used to collect, pur-

chase, test, propagate, and distribute rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries or from our possessions for experiments with reference to their introduction into and cultivation in this country, etc.

The amendment was agreed to.

The next amendment was, on page 25, in line 13, after the word "stations," to insert the following proviso:

And provided also, That \$5,000 of the sum thus appropriated, or so much thereof as may be necessary, may be used for the erection of a laboratory and office building at the plant introduction garden at Chico, Cal.

The amendment was agreed to.

The next amendment was, on page 25, line 18, to increase the total of the appropriation for free-seed distribution from \$242,920 to \$247,920.

The amendment was agreed to.

The next amendment was, on page 25, line 21, to increase the total of the appropriation for the maintenance of the Bureau of Plant Industry from \$906,120 to \$919,960.

The amendment was agreed to.

The next amendment was, under the head of "Forest Service," on page 28, after line 2, to insert:

That the forest-reserve special fund provided for in section 5 of the act approved February 1, 1905, entitled "An act providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture," shall continue until otherwise provided by law; but after June 30, 1908, it shall not be expended except in accordance with specific estimates of expenditures to be made from said fund for the succeeding fiscal year, to be submitted by the Secretary of Agriculture with the estimates of appropriation in the annual Book of Estimates.

The amendment was agreed to.

The next amendment was, on page 28, after line 13, to insert:

That 10 per cent of all money received from each forest reserve during any fiscal year, including the year ending June 30, 1906, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated, to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated: *Provided, That when any forest reserve is in more than one State or Territory or county the distributive share to each from the proceeds of said reserve shall be proportional to its area therein: And provided further, That there shall not be paid to any State or Territory for any county an amount equal to more than 40 per cent of the total income of such county from all other sources.*

Mr. FULTON. I ask the Senator in charge of the bill if he will consent to amend this provision by striking out "ten," in line 14, and inserting "twenty;" so as to read "20 per cent?" I do not care to take up time to go into an explanation of this matter. I have discussed it with other Senators from forest-reserve States, and they think it should be as high as 25 per cent.

Mr. TELLER. I think it ought to be 25 per cent.

Mr. FULTON. I will make it that, if the Senator has no objection. It is simply in lieu of taxes.

Mr. PROCTOR. Mr. Pinchot was before us, and he had gone over this matter very carefully. There was in the committee quite a strong objection to confining it to the States where these forest reserves exist. Some thought that it should be distributed to all the States and Territories of the country. I combatted that because it would be such a division that it would amount to very little. As this is a new provision, I think it is much better to let it stand as it is, as Mr. Pinchot has prepared it. In many counties it will be a very large proportion of the taxes.

Mr. TELLER. Oh, no.

Mr. PROCTOR. If, after a year's trial, it appears that any section is suffering I shall certainly be very glad to have a larger percentage given to the locality.

Mr. PERKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Oregon yield to the Senator from California?

Mr. FULTON. Certainly.

Mr. PERKINS. I trust the Senator from Oregon and the Senator from Colorado will not insist upon the amendment to the amendment, for if they do I fear the point of order will be raised that it is new legislation. I introduced a bill, which has been pending before the Committee on Public Lands for some time, and we have failed to have favorable action upon it. We have the recommendation of the Secretary of Agriculture and the Chief Forester for the 10 per cent proposed. He would not exceed that recommendation, but admitted the justice of our claim. We have, I think, over 104,000,000 acres of forest reserves in the country. There are 102 different forest reserves, 100 of which are in the United States and 2 of which are in Alaska. There are counties in the West—in Nevada, Oregon, California, and Washington—where nearly the whole of the county, or 50 per cent of the county, has been absorbed in a forest reserve.

But I will not weary the Senate by going into details. We can carry the amendment of the committee. The point of order will not be made if we do not exceed 10 per cent. I hope our

friends from Colorado and Oregon will assent to the amendment of the committee, and that it will be adopted.

Mr. FULTON. Mr. President, I do not know that I shall insist on the amendment to the amendment, but I want to make a word of explanation. The Senator from Vermont says that they considered the advisability of distributing this fund among all the States. It seems to me it must be apparent on a moment's thought how absolutely unjust such a proposition would be. These lands are withdrawn from taxation, withdrawn from settlement, withdrawn from all private use. They can not be appropriated to any private enterprises, but are held for the benefit of the whole people of the country and in order that the forests of the country may be reserved.

The entire country gets the benefit of reserving the forests equally with the localities there, but these lands have been withdrawn in the States. For instance, over one-fifth of the entire area of Oregon is withdrawn from entry and can not be taken up for homesteading nor the title acquired in any manner. It does not pay any taxes. It does not contribute in any manner to the public expense or to the public burden.

This is proposed in lieu of those taxes, but it is not equally compensatory at all. So far as I am concerned, I am willing to let the 10 per cent go. It amounts to nothing. If we can not get what is a measure of justice, I say lose it all.

Mr. TELLER. So do I.

Mr. FULTON. I do not propose, as far as I am concerned, to be prevented from presenting my views on this subject by a threat that it will all be knocked out.

Mr. TELLER. Mr. President, the Senator from California [Mr. PERKINS] tells us that Mr. Pinchot has consented that this might go in, or words to that effect—

Mr. PERKINS. He recommended it, if the Senator please. I used the word "recommendation."

Mr. TELLER. But the Senator also said, as I recall it, that he would not recommend anything else, and that therefore we ought to accept it.

Now, Mr. President, I hope somebody will make a point of order on this amendment if we leave it at 10 per cent. I would not like to do it myself, but I really hope somebody will. It is simply a beggarly amount. Nearly one-half of all the forests of the State of Colorado to-day are reservations. A very few of them might properly be reservations, because it would conserve undoubtedly the irrigating purposes of the State, but I will venture to say that not 25 per cent are of any value whatever to the irrigating interests of the State. As for lumber, they are practically of no value except the coarse lumber that might be used in the neighborhood.

Not long since I heard a Senator say that these reserves were to save the lumber for the whole people of the United States. Mr. President, I will venture to say now that a majority of the lumber used in Colorado comes from the States of Oregon and Washington. We have some fair timber, pine, in the southern part of the State, on the mountains generally. It is only good for the coarsest-kind of lumber. Ever since we have had a railroad we have shipped our pine lumber either from Chicago or from the Mississippi River, and a little from Oregon and Washington.

About one-half of Colorado is a mountain country and about one-half is plain. About 50,000 square miles are plain, about 50,000 square miles are mountain and mountain valleys, and the most of the mountain country has more or less timber upon it.

Mr. President, areas as great as many of the States have been withdrawn; withdrawn without any application from anybody in the State of Colorado; withdrawn without even consultation with the representatives of that State on this floor or in the other body; withdrawn in some instances against the protests of the entire delegation. These great areas are now dedicated to solitude and silence. Nobody can go in. A man can not even take his gun and go there without permission from the forest-reserve people. No taxes are paid. There are valleys there that would support a population big enough to maintain a school and a church that we are absolutely prohibited from touching. If the cattle of a farmer stray into one of those reservations, he gets into trouble immediately with the Department. The Department, without any authority of law whatever, have been staking out this man and the other man and saying, "You may let your herd go in there, and you may pay so much a head." The ordinary settler could not let his cows and young cattle go in unless he would first make an arrangement by which he would pay to the Bureau of Forestry.

Mr. CULLOM. What becomes of the money?

Mr. TELLER. What becomes of the money, the Senator from Illinois asks. By one of the foolish provisions that we are

often guilty of here, we provided that whenever they collected this money they might expend it. The pending bill, I believe, has fixed a time when it shall go into the Treasury.

Mr. PERKINS. Will the Senator permit me?

Mr. TELLER. Certainly.

Mr. PERKINS. I will say that the testimony before the committee was that we were receiving for the sale of timber that was inspected and pastured and other privileges in the forest reserves something over half of our annual expenditure; and it was stated by the Chief Forester that he hoped in less than five years the forest reserves would be self-sustaining, and that the improvement in timber would greatly increase by the preservation of the reserves.

Mr. TELLER. I understand that we cleared last year about \$400,000, and there is an appropriation in this bill for one million.

Mr. LATIMER. Between five and six hundred thousand dollars.

Mr. TELLER. Between five and six hundred thousand dollars.

Mr. PERKINS. Last year we appropriated \$875,000, and the total expenditure was \$1,400,000. This year it is estimated that the receipts will amount to \$600,000.

Mr. TELLER. I understand it is the theory of the Forestry Bureau, as I suppose it might be called, that they are going to sell the timber. I know what I am now going to state to be a fact. A settler living on the prairies adjoining one of these reserves went in and hauled out two or three loads of dead timber—practically dead pine knots, where the body of the tree had disappeared and the knots and the sap in them remained. He was compelled to pay 25 cents a load to one of these traveling inspectors, who, I have no doubt, put the money in his pocket. I do not know that he did.

Mr. President, the United States ought not to be a timber speculator; it ought not to set up a timber establishment. I deny the right of the Government of the United States to go in, even under the present law, and pick out a tree and say, "Now, there is a tree you may cut, and the trees out here you may not cut." That is the Prussian system and that is the system in some of the other European countries, but we have a different form of government here.

I do not know, and nobody can tell me, where the authority comes from that the Secretary of the Interior, or, under present conditions, the Secretary of Agriculture, can send a man out and authorize him to tell me what I am to cut on the public land. When the forest is reserved, it is reserved, and there is not any law to authorize anyone to cut it. There is not any law, in my judgment, that authorizes anyone to say to one man, "You may put your herd into a forest reserve," and to another, "You may not." Yet that is what is being done. Nor do I conceive that anyone has a right to say to one man, "You may put so many head of sheep or cattle in," and to another man, "You may put so many head in," and to fix the price they are to pay.

The Senator who has this bill in charge says that the income from these forests would, in some counties, amount to a large sum. Mr. President, the Government has sold no timber to amount to anything in the State of Colorado, and it will sell none except what it may dole out to some poor settler—a few loads of timber, perhaps, and charge him 25 cents or 50 cents a load for it. There is no market for timber of that character there and there can not be any market for it created there. Practically nothing will be derived by us from that source. We get no taxes from the men who live within a forest reserve. If the forest reserve was not there some of this land, at least, would come within the taxing power of the State and county.

Mr. FULTON. Will the Senator from Colorado let me interrupt him right there?

Mr. TELLER. Yes.

Mr. FULTON. I call the Senator's attention to the amount of revenue that could possibly be derived to the country from the nature of the timber land. I do not know the condition in the Senator's State, but in my own State the timber land would yield on an average 12,000 feet board measure per acre. The amount would vary. The timber in some places would be greater and in some places less; but, say, from 12,000 feet up to 17,000 feet board measure per acre; and at an average of a dollar per thousand stumpage, which is about the average price, that would be \$17 per acre in fifty years which would be derived from that source, and we would be entitled to 10 per cent of that, or \$1.70.

Mr. TELLER. I want to say to the Senator that what they may do in the timber market of Oregon, Washington, or California or even of Montana is no criterion to judge of what they may do in Colorado. We have an entirely different forest con-

dition there. There are thousands and thousands of acres in forest reserves over which I could take a light buggy and drive without injuring the buggy. The trees would not prevent my doing it. They are scattered; they are short; they are worthless; and the Government will sell none of that timber, and has never sold a single dollar's worth of it, except, as I have stated, to some poor settler. I say it is an imposition on the settler.

Mr. President, I am not speaking simply for Colorado. Some other States are differently situated. The revenues which come here are not derived from timber sales in Colorado. We should not get much out of Colorado. But I want to read this provision of the amendment. It says:

That 10 per cent of all moneys received from each forest reserve during any fiscal year, including the year ending June 30, 1906, shall be paid at the end thereof by the Secretary of the Treasury to the State or Territory in which said reserve is situated—

That is not enough. The amendment goes on to say—

to be expended as the State or Territorial legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated.

Mr. President, we in the West are able to take care of ourselves; and when it comes to determining where the money that belongs to us shall go, we do not want the guardianship of this nation, either as a State or as individuals.

The threat of the Senator from California [Mr. PERKINS] that some Senator would make a point of order on this amendment, as I stated in the beginning, does not frighten me a particle. I would rather see the point of order made than see this amendment passed in the shape it now is. We will pay for making our own roads and we will pay for maintaining our own schools.

The State of Colorado, Mr. President, has taken whatever subsidy the Government has been willing to give to it as a State to maintain the schools; but years before there was an acre of land surveyed and years before anybody could lay a claim to an acre of that land we established our school system, which we have continued to maintain. We established a free-school system, and we have maintained it from that day to this hour. We did not need even the donation which was given to various States of the sixteenth and thirty-sixth sections to maintain our schools. We ourselves would have maintained them if the Government had never given us an acre of land; and we will maintain them without the little, contemptible sum we would get out of this provision should it be enacted into law.

Mr. President, I feel that it is a personal indignity that it should be supposed that we would be satisfied with 10 per cent; and I felt somewhat humiliated when the Senator said that Mr. Pinchot would not agree that it should be any more than 10 per cent. The time will come, Mr. President, when somebody will tell you what shall be your appropriations and what shall be your method of legislation. As the Senator from Maine [Mr. HALE] said, there have been changes here; and it may be, Mr. President, that by and by we shall consent to have it written down that we are either incapable or unwilling to discharge the duties which our States put upon us when they send us here as their representatives.

Mr. FLINT. Mr. President, I do not want this occasion to go without making the statement that we are in favor of withdrawing land within our States for forest reserves. So far as the people of the State of California are concerned, they are entirely satisfied with and approve the action of withdrawing public lands from settlement in the State of California for forest reservations. In the southern part of the State it has been the means of increasing our water supply, and in the northern part of the State it has been the means of saving what little timber we had left from the great companies that had by fraudulent means acquired thousands of acres of timber lands, and the timber lands now in forest reserves will be saved for future generations.

It may be that other States have not suffered by reason of frauds, but the people of the State of California are willing that the timber lands should be in possession of the Government and not subject to entry, and thus stop the fraudulent acquisition of timber lands that has taken place in the State in the past few years. Whilst some of this land has been honestly taken up, the large part of it has been taken up by dummies and transferred to corporations, and held for speculative purposes. So far as the people of the State of California are concerned, they are heartily in favor of the administration of the forest reserves under the management of Mr. Pinchot, and, in my opinion, the reservation of these lands have been and will continue to be a great benefit to my State.

Mr. TELLER. Mr. President, I do not know what has been the condition in the State of California, and that is not mate-

rial; but we have never had those great frauds in Colorado; we have never had this great aggregation of timber land, because our timber was not of sufficient value, and there has been no inducement to make people take up land and hold it for the timber. We have had some complaint at times about the coal lands, but never about the timber lands. We have got some few timber reservations which are well laid out upon the top of the range; but they do not comprise, I suppose, 5 per cent of the entire reservations. In one forest reserve that has been reserved for years there is not a tree of any size or age, and we had a good deal of difficulty in getting that released. There is nothing there but brush, and not much of that.

Mr. President, I do not mean that forest reserves should not be made somewhere; but I say there ought to be some intelligent discrimination as to where they shall be made. It is not necessary to make a forest reserve in every place where trees grow. Every forest reserve is not calculated to preserve the water. What I complain of is that the Department sends irresponsible people out there to make these selections; that they send a class of people utterly without judgment and discretion, and sometimes without integrity, to take possession and control of the forests, and to tell us what we may do and what we may not do. I make no attack upon anything that concerns other States except Colorado; and it is about all I can do to attend to that under present conditions.

Mr. FLINT. Mr. President, I do not want to interfere with the affairs of Colorado. I have no doubt there are places where land has been included within forest reserves where it should be withdrawn and opened to homestead entry; and there is a bill now pending before the Senate which permits homestead entry within forest reserves.

Mr. FULTON. That bill has already passed both Houses, and is now in conference.

Mr. TELLER. Has the appropriation bill been laid aside?

The VICE-PRESIDENT. It has not been. The question is on agreeing to the amendment proposed by the Senator from Oregon [Mr. FULTON].

Mr. FULTON. Mr. President, I will simply state that I will not press the amendment, because there are a number of Senators from the forest-reserve States who are willing to accept the 10 per cent rather than get nothing. Personally I would prefer to lose that. If I were simply representing an interest that is peculiar to my own State, I would insist on the amendment, but under the circumstances I will not. If it were not so late in the evening I should like to discuss—

Mr. TELLER. The bill is not going to be passed to-night.

The VICE-PRESIDENT. The Chair understands that the Senator from Oregon withdraws his amendment.

Mr. PATTERSON. I hope the Senator from Oregon will not do that.

Mr. KEAN. If this amendment can not be disposed of this evening—of course, I wish it could—I will ask the Senator from Vermont [Mr. PROCTOR] whether he is not willing to have an executive session?

Mr. PROCTOR. Inasmuch as we do not seem to be able to pass the bill to-night, I shall not object to an executive session.

Mr. KEAN. Then I move that the Senate proceed to the consideration of executive business.

RESURVEY OF A TOWNSHIP IN COLORADO.

Mr. TELLER. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. KEAN. I yield to the Senator from Colorado.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (S. 1178) providing for the resurvey of a township of land in Colorado.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, on page 2, line 1, after the word "occupied," to insert the following proviso:

Provided further, That before any survey is ordered it shall be made to appear to the Secretary of the Interior that the former official survey of said lands is so inaccurate or obliterated as to make it necessary to survey the land, and only such parts of the land where the survey is so inaccurate or obliterated shall be surveyed.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to cause to be made a resurvey of the lands in township No. 16 south, of range No. 71 west, of the sixth principal meridian, in Fremont County, in the State of Colorado; and all rules and regulations of the Interior Department requiring petitions from all settlers of said township asking for resurvey and agreement to abide by the result of same, so far as these lands are concerned, are hereby abrogated: *Provided,* That nothing herein contained shall be so construed as to impair the present bona fide claim of any actual occupant of any of said lands so occupied: *Provided further,* That before any survey is ordered it shall be made to appear to the Secretary of the

Interior that the former official survey of said lands is so inaccurate or obliterated as to make it necessary to survey the land, and only such parts of the land where the survey is so inaccurate or obliterated shall be surveyed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALE OF LANDS IN THE STATE OF WASHINGTON.

Mr. PILES. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Washington?

Mr. KEAN. I promised to yield to the Senator from Kansas [Mr. LONG].

The VICE-PRESIDENT. A Senator's right to the floor must come through the Chair.

Mr. KEAN. I yield to the Senator from Washington, if the bill he seeks to have passed is not too long.

Mr. PILES. It is a short bill.

Mr. KEAN. Very well.

Mr. PILES. I ask unanimous consent for the present consideration of the bill (H. R. 17127) to provide for the subdivision and sale of certain lands in the State of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, on page 3, line 4, after the word "acre," to insert the following proviso:

Provided, That no date shall be fixed for the sale of any of said lands until at least ninety days after the Secretary of the Interior has approved said appraisal.

The amendment was agreed to.

The next amendment was, on page 3, line 12, after the word "exceeding," to strike out "one hundred and sixty" and insert "twenty;" so as to read:

Provided further, That any settler who is in actual occupation of any portion of such lands at the date of the passage of this act who has settled thereon in good faith for the purpose of securing a home and is by law entitled to make a homestead entry shall be entitled to enter the land so occupied not exceeding 20 acres in a body, according to the Government surveys and subdivisions thereof, upon payment to the Government of the sum of \$2.50 per acre for each acre entered by him and upon showing residence and cultivation of such lands in the manner and for the length of time required by the homestead laws of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MISSISSIPPI RIVER DAM IN MORRISON COUNTY, MINN.

Mr. NELSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Minnesota?

Mr. KEAN. I do.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 17758) permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota. The bill was reported this morning.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WHARVES AND PIERS IN THE WATERS OF PORTO RICO.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. KEAN. I yield to the Senator.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (H. R. 18502) to empower the Secretary of War, under certain restrictions, to authorize the construction, extension, and maintenance of wharves, piers, and other structures on lands underlying harbor areas and navigable streams and bodies of waters in or surrounding Porto Rico and the islands adjacent thereto.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FORAKER. I move to amend the bill on page 2, line 13, after the word "or," at the end of the line, by inserting the words "with the approval of the Secretary of War."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 13, after the word "or," at

the end of the line, it is proposed to amend the bill by inserting the words "with the approval of the Secretary of War."

The amendment was agreed to.

Mr. FORAKER. Also, on page 2, line 22, after the words "Porto Rico," I move to insert the words "exercising the right of purchase as aforesaid."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 22, after the words "Porto Rico," it is proposed to insert "exercising the right of purchase as aforesaid."

The amendment was agreed to.

Mr. FORAKER. On page 3, line 1, before the word "Government," I move to insert the words "Secretary of War for the."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 1, before the word "Government," it is proposed to insert "Secretary of War for the."

The amendment was agreed to.

Mr. FORAKER. On page 3, line 2, after the word "or," I move to insert "by the governor of Porto Rico for."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 2, after the word "or," it is proposed to insert the words "by the governor of Porto Rico for."

The amendment was agreed to.

Mr. FORAKER. On the same page, line 2, after the words "Porto Rico," I move to amend by inserting the words "as the case may be."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 2, after the words "Porto Rico," it is proposed to insert "as the case may be."

The amendment was agreed to.

Mr. FORAKER. As all the foregoing amendments are to paragraph "a," I ask that that paragraph may be read as amended.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read paragraph "a" as amended, as follows:

(a) No authorization to any person to construct, extend, or maintain any such structure shall continue for a longer period than the period set forth in such authorization, and shall provide that the Government of the United States, or, with the approval of the Secretary of War, the government of Porto Rico shall have the right at any time after the expiration of thirty years from the date of such authorization, and after three months' notice, to take any such structure from the owner thereof upon paying the value of the same at the time it shall be so taken, and the amount paid shall not exceed the original cost of the same as may be fixed under paragraph (f) hereof. In case the Government of the United States or the government of Porto Rico, exercising the right of purchase as aforesaid, should claim that the value of the structure when seized and taken is less than its original cost, the extent of deterioration or diminution from the original value shall be determined by a board or commission of four members, two of whom shall be appointed by the Secretary of War for the Government of the United States or by the governor of Porto Rico for the government of Porto Rico, as the case may be, and two by the owner of such structure. If the four members thus chosen and appointed shall not be able to agree, they shall choose by mutual agreement a referee, whose decision shall be final, but in no case shall the amount to be paid exceed the original cost as fixed under the provisions of said paragraph (f). If the four members thus chosen and appointed are unable by mutual agreement to select a referee, then the Chief of Engineers of the United States Army shall be the referee, and his decision shall be final.

Mr. FORAKER. Now, at the end of paragraph (c) I move to insert the proviso which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 4, line 2, after the words "Secretary of War," at the end of paragraph (c), it is proposed to insert the following proviso:

Provided, however, That vessels having contracts with the Government of the United States for carrying the mail may, with the consent of the owner of said structure and under the control and direction of the Secretary of War, be given a preference to expedite the landing and discharge of their cargoes at said structure.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

RECORDER OF DEEDS IN OSAGE INDIAN RESERVATION.

Mr. LONG. I ask unanimous consent for the consideration of the bill (H. R. 17220) providing for a recorder of deeds, and so forth, in the Osage Indian Reservation, in Oklahoma Territory.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STATE OF RHODE ISLAND.

Mr. BURNHAM. I ask unanimous consent to call up the bill (H. R. 5539) for the relief of the State of Rhode Island.

Mr. KEAN. Is that the bill which has already been read?

Mr. BURNHAM. I do not know that it has been.

Mr. KEAN. Are there two of these bills?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims, with an amendment, in line 6, after the word "Spain," to strike out the remainder of the bill in the following words:

And in said resettlement and readjustment the same rules shall be applied as have been applied by the Auditor and Comptroller in the settlement of the like claims of other States. And allowances shall also be made in such resettlement and readjustment of the same class or character of items disallowed that were disallowed in the settlement of the like claim of the State of Iowa, for which appropriation was made under the provisions of the act of Congress approved March 3, 1900.

And insert:

Under the provisions of the acts of Congress approved July 8, 1898, March 3, 1899, and April 27, 1904.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby directed to resettle and readjust the claim of the State of Rhode Island for and on account of its expenditures in raising volunteers during the war with Spain, under the provisions of the acts of Congress approved July 8, 1898, March 3, 1899, and April 27, 1904.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HOLLY MANUFACTURING COMPANY, OF BUFFALO, N. Y.

Mr. GALLINGER. I ask consideration of the bill (S. 6025) for the relief of the Holly Manufacturing Company, of Buffalo, N. Y.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That the Commissioners of the District of Columbia are hereby authorized and directed to cause to be paid from the appropriation for the water department, District of Columbia, extension of the high-service system, to the Holly Manufacturing Company, of Buffalo, N. Y., the sum of \$6,880, deducted by the Commissioners of the District of Columbia as a penalty under contract No. 3324, dated November 11, 1903, and supplemental contract No. 3324, dated February 24, 1905.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BEAVER LODGE, I. O. O. F., OF EKAŁAKA, MONT.

Mr. CARTER. I ask for the present consideration of the bill (S. 6165) granting to Beaver Lodge, Independent Order of Odd Fellows, of Ekalaka, Mont., certain land for public cemetery purposes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMERICAN REGISTER FOR STEAM YACHT WATURUS.

Mr. FORAKER. I should like to have the bill (S. 6004) to provide an American register for the steam yacht *Waturus* considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to add at the end of the bill the following:

Provided, That said vessel shall not at any time hereafter engage in the coasting trade, under penalty of forfeiture.

So as to make the bill read:

Be it enacted, etc., That the Commissioner of Navigation be, and he is hereby, authorized and directed to cause the foreign-built steam yacht *Waturus* to be registered as a vessel of the United States: *Provided,* That said vessel shall not at any time hereafter engage in the coasting trade under penalty of forfeiture.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GRANT OF LANDS TO CANON CITY, COLO.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. KEAN. I yield to the Senator from Colorado for a moment.

Mr. PATTERSON. I reported from the Committee on Public Lands this morning a House bill unanimously recommended by the committee with amendments. It is the bill (H. R. 4546) ceding to the city of Canon City, Colo., certain lands for park purposes. I ask unanimous consent that it may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, on page 1, line 3, after the word "City," to insert the article "a;" so as to read:

That there is hereby granted to the city of Canon City, a municipal corporation in the county of Fremont and State of Colorado, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 1, after the word "forfeited," to insert the word "canceled" and a comma; so as to read:

Shall lapse, become forfeited, canceled, or abandoned.

The amendment was agreed to.

Mr. KEAN. I ask that the report in connection with this bill may be published in the RECORD.

The VICE-PRESIDENT. Without objection, it is so ordered.

The report submitted by Mr. PATTERSON this morning is as follows:

The Committee on Public Lands, to whom was referred the bill (H. R. 4546) ceding to the city of Canon City, Colo., certain lands for park purposes, having had the same under consideration, beg leave to report it back with amendments and as amended recommend that it do pass.

The suggested amendments are as follows:

In line 3, page 1 of the bill, after the word "City," insert the letter "a."

In line 1, page 3 of the bill, after the word "forfeited," insert the word "canceled."

This question has come before Congress in two forms—one to create a national park and the other to cede the land to Canon City for park purposes, and your committee have chosen the latter course for the reason that national parks are liable to cause more or less expense for their care, thus necessitating frequent appropriations from the National Treasury. By turning it over to Canon City and making ample provision for its reversion to the Federal Government in case the city refuses to accept the charge of its care or neglects in the future to care for it, the land is in this way withdrawn from entry, which is the most desirable object of this legislation, since it is worthless for any purpose except a vantage ground from which to view the Royal Gorge of the Arkansas River.

While the land remained subject to entry there was a constant liability that some speculator might get possession of it and charge tourists unreasonable prices for the privilege of seeing one of the grandest scenes in the Rocky Mountains.

This bill was referred to the Interior Department, and both propositions were considered by them, viz, to cede the land to Canon City or to make of it a national park. The Commissioner of the General Land Office recommended that it be made a national park, and the Secretary of the Interior concurred in this report.

Attention is called to the fact, however, that the bill ceding the land to Canon City has since been amended so that Congress reserves the right to amend or repeal this act at any time, in which event the land will revert to the United States.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LOCK NO. 4, COOSA RIVER, ALABAMA.

Mr. PETTUS. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from Alabama?

Mr. KEAN. Certainly.

Mr. PETTUS. I ask for the present consideration of the bill (H. R. 19473) authorizing the use of the waters in Coosa River at Lock No. 4 in Alabama. It is a local measure.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to enter into a contract with any individual or corporation, private or municipal, preference being given to riparian owners and their assigns, to complete the dam and forebay of the lock which has been partially constructed by the Government at Lock No. 4 on the Coosa River, the work to be done under his supervision and control, and in accordance with the present adopted project and any modifications thereof that he may deem proper.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 25, 1906, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate, May 24, 1906.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Passed Asst. Surg. William G. Stimpson to be a surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from February 10, 1906, to succeed George T. Vaughan, resigned.

Passed Asst. Surg. George B. Young to be a surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from December 10, 1905, in place of Cyrus T. Peckham, deceased.

POSTMASTERS.

ILLINOIS.

William E. Ludlow to be postmaster at Griggsville, in the county of Pike and State of Illinois, in place of William E. Ludlow. Incumbent's commission expired March 14, 1906.

Samuel B. Roach to be postmaster at Mason City, in the county of Mason and State of Illinois, in place of Samuel B. Roach. Incumbent's commission expired February 10, 1906.

INDIANA.

Ezra Hayes to be postmaster at Lawrenceburg, in the county of Dearborn and State of Indiana, in place of Archibald Shaw. Incumbent's commission expires June 25, 1906.

William Sholty to be postmaster at Windfall, in the county of Tipton and State of Indiana, in place of Wilber H. Dean, resigned.

IOWA.

Frank G. Atherton to be postmaster at Osage, in the county of Mitchell and State of Iowa, in place of Frank G. Atherton. Incumbent's commission expired May 9, 1906.

KANSAS.

Laura Goodfellow to be postmaster at Fort Leavenworth, in the county of Leavenworth and State of Kansas, in place of Laura Goodfellow. Incumbent's commission expired January 16, 1906.

Curt M. Higley to be postmaster at Cawker City, in the county of Mitchell and State of Kansas, in place of Curt M. Higley. Incumbent's commission expired March 14, 1906.

Louisa Kerns to be postmaster at Oakley, in the county of Logan and State of Kansas. Office became Presidential April 1, 1906.

Robert A. Marks to be postmaster at Oberlin, in the county of Decatur and State of Kansas, in place of Robert A. Marks. Incumbent's commission expired May 19, 1906.

MAINE.

Charles S. Akers to be postmaster at Norway, in the county of Oxford and State of Maine, in place of Moses P. Stiles. Incumbent's commission expired April 26, 1906.

MASSACHUSETTS.

Dexter Grose to be postmaster at North Abington, in the county of Plymouth and State of Massachusetts, in place of Dexter Grose. Incumbent's commission expired March 1, 1906.

MICHIGAN.

Andrew L. Deuel to be postmaster at Harbor Springs, in the county of Emmet and State of Michigan, in place of Andrew L. Deuel. Incumbent's commission expired March 19, 1906.

NEW HAMPSHIRE.

Edward H. Clough to be postmaster at Manchester, in the county of Hillsboro and State of New Hampshire, in place of Edward H. Clough. Incumbent's commission expires June 5, 1906.

NEW JERSEY.

William B. R. Mason to be postmaster at Boundbrook, in the county of Somerset and State of New Jersey, in place of William B. R. Mason. Incumbent's commission expired May 14, 1906.

NEW MEXICO.

Paul A. F. Walter to be postmaster at Santa Fe, in the county of Santa Fe and Territory of New Mexico, in place of Paul A. F. Walter. Incumbent's commission expires June 27, 1906.

NEW YORK.

Vernon A. Kent to be postmaster at Westfield, in the county of Chautauqua and State of New York, in place of Vernon A. Kent. Incumbent's commission expires June 19, 1906.

NORTH CAROLINA.

Eliza S. Craft to be postmaster at Williams, in the county of Yadkin and State of North Carolina. Office became Presidential October 1, 1905.

OHIO.

Richard L. Moore to be postmaster at Cuyahoga Falls, in the county of Summit and State of Ohio, in place of Henry Thomas. Incumbent's commission expires June 9, 1906.

PENNSYLVANIA.

William H. Baker to be postmaster at Ridgway, in the county of Elk and State of Pennsylvania, in place of William H. Baker. Incumbent's commission expired January 21, 1906.

James C. Brown to be postmaster at Bloomsburg, in the county of Columbia and State of Pennsylvania, in place of James C. Brown. Incumbent's commission expired March 7, 1906.

Thomas A. Cochran to be postmaster at Apollo, in the county of Armstrong and State of Pennsylvania, in place of Thomas A. Cochran. Incumbent's commission expires June 27, 1906.

SOUTH DAKOTA.

George B. Craft to be postmaster at Bellefourche, in the county of Butte and State of South Dakota, in place of George B. Craft. Incumbent's commission expires June 30, 1906.

TEXAS.

Harry A. Griffin to be postmaster at Galveston, in the county of Galveston and State of Texas, in place of Harry A. Griffin. Incumbent's commission expired March 4, 1906.

VERMONT.

Joseph G. Brown to be postmaster at Montpelier, in the county of Washington and State of Vermont, in place of Carlos C. Bancroft, deceased.

VIRGINIA.

Holt F. Butt, jr., to be postmaster at Portsmouth, in the county of Norfolk and State of Virginia, in place of Holt F. Butt, jr. Incumbent's commission expires June 3, 1906.

Archie Jones to be postmaster at Chincoteague Island, in the county of Accomac and State of Virginia. Office became Presidential January 1, 1906.

Arthur M. Stimson to be postmaster at Hot Springs, in the county of Bath and State of Virginia, in place of Arthur M. Stimson. Incumbent's commission expired January 28, 1906.

WISCONSIN.

John J. O'Connell to be postmaster at Marinette, in the county of Marinette and State of Wisconsin, in place of Lewis S. Patrick. Incumbent's commission expires June 4, 1906.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 23, 1906.

CONSUL-GENERAL.

George H. Murphy, of North Carolina, to be consul-general at large of the United States, to take effect July 1, 1906.

CONSUL.

J. Martin Miller, of New Jersey, to be consul of the United States at Rheims, France.

UNITED STATES ATTORNEY.

Charles C. Haupt, of Minnesota, to be United States attorney for the district of Minnesota.

George Randolph, of Tennessee, to be United States attorney for the western district of Tennessee.

MARSHALS.

Frank S. Elgin, of Tennessee, to be United States marshal for the western district of Tennessee.

Andrew J. Houston, of Texas, to be United States marshal for the eastern district of Texas.

DISTRICT JUDGE FOR PORTO RICO.

Bernard S. Rodey, of New Mexico, to be United States district judge for the district of Porto Rico.

PROMOTIONS IN THE NAVY.

Commander Nathan Sargent to be a captain in the Navy from the 13th day of May, 1906.

Pay Inspector Leeds C. Kerr to be a pay director in the Navy from the 11th day of May, 1906.

Capt. Charles S. Sperry to be a rear-admiral in the Navy from the 26th day of May, 1906.

Capt. Morris R. S. Mackenzie to be a rear-admiral in the Navy from the 13th day of May, 1906.

Lieut. Commander Frank W. Bartlett to be a commander in the Navy from the 13th day of May, 1906.

Lieut. Adelbert Althouse to be a lieutenant-commander in the Navy from the 13th day of May, 1906.

Lieut. Richard H. Leigh to be a lieutenant-commander in the Navy from the 13th day of April, 1906.

Lieut. Henry C. Kuenzli to be a lieutenant-commander in the Navy from the 1st day of January, 1906.

Boatswain Rudolph C. Mehrtens to be a chief boatswain in the Navy from the 25th day of January, 1906, upon the completion of six years' service.

Ensign Charles T. Wade to be a lieutenant (junior grade) in the Navy from the 1st day of July, 1905.

Lieut. (Junior Grade) Charles T. Wade to be a lieutenant in the Navy from the 1st day of July, 1905.

APPOINTMENT IN THE NAVY.

André E. Lee, a citizen of California, to be an assistant surgeon in the Navy from the 9th day of May, 1906.

POSTMASTERS.

ILLINOIS.

John A. Walter to be postmaster at Lockport, in the county of Will and State of Illinois.

INDIANA.

Charles C. Lyons to be postmaster at Fairmount, in the county of Grant and State of Indiana.

MISSOURI.

Harvey B. Garver to be postmaster at Fulton, in the county of Callaway and State of Missouri.

NEW JERSEY.

Luther M. Whitaker to be postmaster at Westfield, in the county of Union and State of New Jersey.

NEW YORK.

John P. Herrick to be postmaster at Bolivar, in the county of Allegany and State of New York.

TENNESSEE.

Reuben Hurtt to be postmaster at Harriman, in the county of Roane and State of Tennessee.

Executive nominations confirmed by the Senate May 24, 1906.

CONSULS-GENERAL.

Fleming D. Cheshire, of New York, now consul-general at Mukden, to be consul-general at large of the United States, to take effect July 1, 1906.

Louis H. Aymé, of Illinois, now consul at Para, to be consul-general of the United States at Lisbon, Portugal.

William T. Fee, of Ohio, now consul at Bombay, to be consul-general of the United States at Mukden, China.

Julius G. Lay, of the District of Columbia, now consul-general at Canton, to be consul-general of the United States at Cape Town, Cape of Good Hope.

CONSUL.

Charles C. Eberhardt, of Kansas, now vice and deputy consul-general at Mexico, to be consul of the United States at Iquitos, Peru.

PROMOTIONS IN THE NAVY.

Ensign George B. Landenberger to be a lieutenant (junior grade) in the Navy from the 15th day of April, 1906.

Lieut. (Junior Grade) George B. Landenberger to be a lieutenant in the Navy from the 15th day of April, 1906.

Paymaster Samuel McGowan to be a pay inspector in the Navy from the 11th day of May, 1906.

Boatswain Paul Hennig to be a chief boatswain in the Navy from the 25th day of January, 1906, upon the completion of six years' service.

RECEIVERS OF PUBLIC MONEYS.

Patrick M. Mullen, of Alaska, whose term will expire June 1, to be receiver of public moneys at Juneau, Alaska.

William E. Wallace, of Glenwood Springs, Colo., to be receiver of public moneys at Glenwood Springs, Colo.

REGISTER OF THE LAND OFFICE.

John W. Dudley, of Alaska, whose term will expire June 1, to be register of the land office at Juneau, Alaska.

POSTMASTERS.

CALIFORNIA.

Reuben A. Edmonds to be postmaster at Bakersfield, in the county of Kern and State of California.

CONNECTICUT.

Charles K. Bailey to be postmaster at Bethel, in the county of Fairfield and State of Connecticut.

KANSAS.

Richard Waring to be postmaster at Abilene, in the county of Dickinson and State of Kansas.

H. J. Muth to be postmaster at La Cygne, in the county of Linn and State of Kansas.

MAINE.

Thomas G. Herbert to be postmaster at Richmond, in the county of Sagadahoc and State of Maine.

MARYLAND.

Marion A. Humphreys to be postmaster at Salisbury, in the county of Wicomico and State of Maryland.

MASSACHUSETTS.

Daniel Bearse to be postmaster at Hyannis, in the county of Barnstable and State of Massachusetts.

MISSISSIPPI.

Ellis E. Perkins to be postmaster at Edwards, in the county of Hinds and State of Mississippi.

NEW MEXICO.

Paul A. F. Walter to be postmaster at Santa Fe, N. Mex.

NEW YORK.

Henry C. Getter to be postmaster at Middleburg, in the county of Schoharie and State of New York.

TENNESSEE.

D. A. Tate to be postmaster at South Pittsburg, in the county of Marion and State of Tennessee.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 24, 1906.

The House met at 12 o'clock m.

Prayer by the Chaplain, the Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

Mr. PAYNE. Mr. Speaker, I move that the Journal be approved.

The motion was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 19264) making appropriations for the diplomatic and consular service.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 121, noes 37.

Mr. WILLIAMS. Mr. Speaker, reserving the point of order, I now call for the yeas and nays.

Mr. CURTIS. Mr. Speaker, there is no quorum present.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The point of no quorum present has been made, and under that rule the doors will be closed and the Sergeant-at-Arms will bring in absentees. As many as are in favor of the motion of the gentleman from Pennsylvania will, as their names are called, answer "aye;" as many as are opposed will answer "no;" those not voting will answer "present," and the Clerk will call the roll.

The question was taken; and there were—yeas 223, nays 21, answered "present" 19, not voting 118, as follows:

YEAS—223.

Adams, Pa.	Capron	Fassett	Hay
Alexander	Cassel	Fitzgerald	Hayes
Allen, Me.	Chaney	Fletcher	Hedge
Bannon	Clayton	Flood	Hedlin
Bartholdt	Cole	Fordney	Henry, Conn.
Bates	Cooper, Pa.	Foster, Ind.	Hepburn
Bede	Ccooper, Wis.	Foster, Vt.	Hermann
Beidler	Cousins	Fowler	Higgins
Bennett, Ky.	Cromer	French	Hill, Conn.
Bingham	Crumpacker	Fulkerson	Hinshaw
Birdsall	Curtis	Gaines, W. Va.	Hoar
Bishop	Cushman	Garber	Hogg
Bonyng	Dalzell	Gardner, Mass.	Holliday
Boutell	Darragh	Gardner, Mich.	Houston
Bowersock	Davis, Minn.	Garner	Howard
Brantley	Davis, W. Va.	Garrett	Howell, N. J.
Brooks, Colo.	Dawes	Gilbert, Ky.	Howell, Utah
Brown	Dawson	Gillett, Cal.	Hubbard
Brownlow	De Armond	Gillett, Mass.	Hull
Buckman	Deemer	Glass	Humphrey, Wash.
Burke, Pa.	Denby	Goebel	Hunt
Burleson	Dixon, Ind.	Graff	Jenkins
Burton, Del.	Dixon, Mont.	Graham	Jones, Wash.
Burton, Ohio	Dresser	Granger	Kelifer
Calder	Dunwell	Grosvenor	Keliber
Calderhead	Edwards	Hale	Kennedy, Nebr.
Campbell, Kans.	Ellerbe	Hamilton	Kinkaid
Campbell, Ohio	Ellis	Hardwick	Klepper
Candler	Esch	Haugen	Kline

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Knowland
Lafean
Lamar
Lawn
Lawrence
Lee
Le Fevre
Lester
Lewis
Lilley, Conn.
Lilley, Pa.
Lindsay
Littauer
Livingston
Lloyd
Longworth
Lorimer
Loud
Loudenslager
Loving
McCall
McCleary, Minn.
McGavin
McKinlay, Cal.
McKinley, Ill.
McKinney
McLachlan

McNary
Madden
Mahon
Mann
Marshall
Maynard
Miller
Minor
Mondell
Moon, Pa.
Moon, Tenn.
Mouser
Mudd
Murdock
Murphy
Needham
Nevin
Norris
Olmsted
Otjen
Padgett
Palmer
Parker
Parsons
Payne
Perkins
Pollard

Prince
Rainey
Reeder
Reynolds
Rhodes
Richardson, Ala.
Rixey
Rodenberg
Rucker
Samuel
Scott
Shackleford
Sherley
Sims
Slayden
Slomp
Smith, Cal.
Smith, Ill.
Smith, Iowa
Smith, Samuel W.
Smith, Tex.
Smyser
Southard
Southwick
Sperry
Stafford
Steenerson

Stephens, Tex.
Stevens, Minn.
Sullivan, Mass.
Sulloway
Talbot
Tawney
Taylor, Ohio
Thomas, Ohio
Tirrell
Townsend
Tyndall
Volstead
Wachter
Waldo
Wallace
Watkins
Watson
Weeks
Weems
Wiley, Ala.
Wiley, N. J.
Williams
Wilson
Wood, N. J.
Young
Zenor

NAYS—21.

Beall, Tex.	Gillespie	Macon	Stanley
Bowers	Gregg	Page	Towne
Broocks, Tex.	Henry, Tex.	Patterson, S. C.	Underwood
Clark, Fla.	Humphreys, Miss.	Robinson, Ark.	
Clark, Mo.	Kitchin, Claude	Russell	
Floyd	McLain	Spight	

ANSWERED "PRESENT"—19.

Acheson	Dickson, Ill.	Johnson	Wanger
Andrus	Driscoll	Morrell	Welborn
Bartlett	Fuller	Sherman	Wood, Mo.
Brick	Gaines, Tenn.	Sparkman	Woodyard
Davey, La.	Hopkins	Taylor, Ala.	

NOT VOTING—118.

Adams, Wis.	Draper	Lamb	Robertson, La.
Adamson	Dwight	Landis, Chas. B.	Ruppert
Aiken	Field	Landis, Frederick	Ryan
Allen, N. J.	Finley	Legare	Schneebell
Ames	Flick	Lever	Scroggy
Babcock	Foss	Little	Shartel
Bankhead	Gardner, N. J.	Littlefield	Sheppard
Barchfeld	Gilbert, Ind.	McCarthy	Sibley
Bell, Ga.	Gill	McCreary, Pa.	Small
Bennet, N. Y.	Goldfogle	McDermott	Smith, Ky.
Blackburn	Goulden	McMorran	Smith, Md.
Bowie	Greene	Martin	Smith, Wm. Alden
Bradley	Griggs	Meyer	Smith, Pa.
Broussard	Gronna	Michalek	Snapp
Brundidge	Gudger	Moore	Southall
Burgess	Haskins	Olcott	Sterling
Burke, S. Dak.	Hearst	Overstreet	Sullivan, N. Y.
Burleigh	Hill, Miss.	Patterson, N. C.	Sulzer
Burnett	Hitt	Patterson, Tenn.	Thomas, N. C.
Butler, Pa.	Huff	Pearre	Trimble
Butler, Tenn.	Hughes	Pou	Van Duzer
Byrd	James	Powers	Van Winkle
Chapman	Jones, Va.	Pujo	Vreeland
Cockran	Kahn	Randell, Tex.	Wadsworth
Cocks	Kennedy, Ohio	Ransdell, La.	Webb
Conner	Ketcham	Reid	Webber
Currier	Kitchin, Wm. W.	Rhinoek	Weisse
Dale	Knapp	Richardson, Ky.	Wharton
Davidson	Knopf	Rives	
Dovener	Lacey	Roberts	

A quorum present.

The Clerk announced the following pairs:

For the session:

Mr. BRADLEY with Mr. GOULDEN.

Mr. CURRIER with Mr. FINLEY.

Mr. CHAPMAN with Mr. HOPKINS.

Mr. SHERMAN with Mr. RUPPERT.

Mr. WANGER with Mr. ADAMSON.

Mr. MORRELL with Mr. SULLIVAN of New York.

Mr. FOSS with Mr. MEYER.

Until further notice:

Mr. KNOPF with Mr. WEISSE.

Mr. HITT with Mr. LEGARE.

Mr. HUFF with Mr. WOOD of Missouri.

Mr. DOVENER with Mr. SPARKMAN.

Mr. GREENE with Mr. PATTERSON of North Carolina.

Mr. BURKE of South Dakota with Mr. DAVEY of Louisiana.

Mr. BUTLER of Pennsylvania with Mr. BARTLETT.

Mr. DRISCOLL with Mr. RANSDELL of Louisiana.

Mr. DALE with Mr. BOWIE.

Mr. SHARTEL with Mr. LITTLE.

Mr. HASKINS with Mr. LEVER.

Mr. POWERS with Mr. GAINES of Tennessee.

Mr. REYNOLDS with Mr. McDERMOTT.

Mr. WM. ALDEN SMITH with Mr. SHEPPARD.

Mr. DRAPER with Mr. FIELD.

Mr. WELBORN with Mr. GUDGER.

Mr. LITTLEFIELD with Mr. SMITH of Kentucky.

Mr. ANDRUS with Mr. THOMAS of North Carolina.